LABOUR—*contd.*

Labour-contract—*contd.*

Determination of :

on notice . . . . . Mad.Act.1,1903,s.9.

by labourer on reasonable grounds without notice . . „ s.10.

on accident or illness disabling labourers or relative ; reference to Magistrate for settlement of terms : power of Magistrate to award compensation to labourer in certain cases . . . . . „ ss.11,12.

where wages wrongfully withheld or labourer has been ill-treated ; compensation . . . . . „ ss.21,22.

Register of labourers and dependants . . . . . „ s.13.

Labourers, house-accommodation, water-supply, medical attendance to be provided : penalty . . . . . „ ss.14,15, 27.

Not bound to work on estate declared unfit . . . . . „ s.17(3).

Complaints by : penalty for frivolous or vexatious complaint . „ ss.18to20.

Powers of Magistrate on wrongful withholding of wages or illtreatment of . . . . . „ ss.21,22.

Penalty for absence from work or desertion by . . . . „ ss.28,30.

Arrest of on desertion ; compensation for wrongful arrest . . „ ss.29,31.

Penalty for enticing or attempting to entice, etc. . . . . „ s.36.

Power to order, to complete performance of contract on expiry of imprisonment . . . . . „ s.35.

Penalty for compelling labourer to work when unfit or for failing to send labourer before Magistrate under s. 11 . . . „ ss.26,37.

Power to cancel imprisonment of maistry or labourer in certain cases . . . . . „ ss.33,34.

Estates ; power to inspect, call upon planter to remedy sanitary defects in or to declare to be unfit for residence of labourers ; penalty for obstructing inspection, etc. . . . . „ ss.16,17,25.

Penalty for abetment of offence . . . . . „ s.38.

Compounding of certain offences . . . . . „ s.40.

Place of trial . . . . . „ s.39.

Power to make rules ; penalty for breach of . . . . . „ s.42.

Recovery of sums due under Act . . . . . „ s.43.

Power to authorize officers to make inquiry under Act . . „ s.45.

Power to order execution of certain processes of Courts in Native States . . . . . „ s.44.

LABOUR AND EMIGRATION ACT (ASSAM), 1901 (*See* EMIGRATION) . . . . . „ Act6,1901.

LABOUR-CONTRACT. *See* CONTRACT, 2 EMIGRATION ; LABOUR.

LABOURERS. *See* COMPULSORY LABOUR ; EMIGRATION.

LACCADIVE ISLANDS (INCLUDING MINICOY).

Are a Scheduled District . . . . . Act14,1874,s.1,Sch.I,Pt. IV. Act15,1874,s.2,Sch.VI, Pt.I,No.IV.

LAHORE TRAMWAY. *See* TRAMWAYS, A.

„ UNIVERSITY. *See* UNIVERSITY, 3.

LAKHIRAJ LANDS. *See* REVENUE-FREE LANDS.

LAND ACQUISITION ACT, 1894. } [*See* LAND INDIAN Act1,1894.

„ „ (MINES) ACT, 1885. } LAW), A,2] . . Act18,1885.

LAND IMPROVEMENT LOANS ACT, 1888. (*See* LAND REVENUE I; LOAN) . . . . . Act19,1883.

LAND IMPROVEMENT LOANS (AMENDMENT) ACT, 1899 . Act18,1899.

LAND IMPROVEMENT AND AGRICULTURISTS' LOANS (AMENDMENT) ACT, 1906 . . . . . Act8,1906.

LAND (ENGLISH LAW).

Power of companies registered in British possessions to hold land in United Kingdom . . . . . 8Edw.7,c.69,s.275.

LAND (INDIAN LAW).

1837. Act 4 (Right to hold land).
1872. Reg. 3, s. 3 (Laws, Santhal Parganas).
1874. Act 15, s. 3 (Laws Local Extent).
,, Reg. 9, s. 3 (Laws, Arakan Hills).
1876. Act 2, ss. 4 to 22 (Land and Revenue, Lower Burma).
,, Act 10, ss. 4, 5 (Jurisdiction of Civil Courts, Bombay).
,, Bom. Act 2, ss. 24 to 29 (Land-revenue, City of Bombay).
1877. Reg. 2, ss. 4 to 7, 26 (Land and Revenue, Ajmere).
1879. Bom. Act 5, ss. 37 to 39, 60 to 79, 82, 88, 89, 126 to 135, 216 (Land-revenue, Bombay Presidency).
1885. Act 18 (Land-acquisition—Mines)
1886. Reg. 1, ss. 4 to 15 (Land and Revenue, Assam).
1887. Act 17, ss. 34, 39 (Land-revenue, Punjab and North-West Frontier).
1887. Reg. 12, s. 16 (Precious Stones, Upper Burma).
1889. Reg. 3, ss. 23 to 26, 31, 37 to 46, 53 (Land and Revenue, Upper Burma).
1894. Act 1 (Land-acquisition).
,, Reg. 1, s. 3 (Laws, Angul).
1898. Act 13, s. 4 (Laws, Burma).
,, Bom. Act 4, ss. 47 to 50 (Improvement, Bombay City).
,, Bur. Act 4 (Town and Village Lands).
1899. Reg. 1, ss. 3, 42 to 47, 143 (*f*) (Land-revenue, Coorg).
Bom. Act 3 (Government Occupants, Sindh).
1900. Act 13 (Alienation of Land, Punjab and North-West Frontier).
Reg. 1, s. 18 (Chittagong Hill Tracts)
Reg. 7, s. 10 (Settlement Aden).
1901. U. P. Act 3, ss. 34, 38 (Land-revenue).
1902. P. Act 1 (Sind-Sagar Doab Colonisation).
Bom. Act 4, s.82 (Forests).
1903. Act 7 (Works of Defence).
,, U. P. Act 2 (Alienation of Land, Bundelkhand).
,, Bom. Act 4 (Land, Record-of-Rights).
1905. Mad. Act 3 (Land Encroachment).
1908. Bom. Act 1 (Government Occupants, Sindh).
1910. Act 9, s. 57 (Electricity).
,, Act 15, s. 24 (Cantonments)

A.—GENERALLY.

1. Right to hold Land.
2. Compulsory Acquisition of Land.
3. Compulsory Imposition of Restrictions on enjoyment of Land.
4. Miscellaneous.

B.—AJMERE.
ANDAMANS.
C.—ASSAM.
D.—BOMBAY PRESIDENCY.
E.—LOWER BURMA.
F. UPPER BURMA.
G.—COORG.

LAND (INDIAN LAW)—*contd.*

A.—GENERALLY.

1. Right to hold Land.

Act 4, 1837, declared in force—
throughout British India, except as regards the Scheduled Districts . . . . . Act15,1874,s.3.
in the Santhál Parganas . . . . . Reg.3,1872,s.3,Sch.
in the Arakan Hill District . . . . . Reg.9,1874,s.3.
Right of all British subjects to hold land . . . . . Act4,1837.
See FRONTIER A, D.

2. Compulsory Acquisition of Land.

(*a*) PRELIMINARY.

Act 1, 1894, extends to whole of British India . . . . Act1,1894,s.1.
,, declared in force in Santhál Parganas . . . Reg.3,1872,s.3,Sch.
,, ,, ,, Upper Burma except Shan States Act13,1898,s.4,Sch.1.
Act 18, 1885 [Land Acquisition (Mines)]—
extends *proprio vigore* to Bengal and Madras Presidency, and may be extended to other provinces by notification . . Act18,1885,s.1.
declared in force in—
the Santhál Parganas . . . . . Reg.3,1872,s.3,Sch.
Angul and the Khondmals . . . . . Reg.1,1894,s.3.
Definitions . . . . . Act1,1894,s.3.

(*b*) INVESTIGATION AND ACQUISITION.

Power of Local Government to initiate proceedings when it considers land is likely to be needed for public purpose; powers of officer deputed to investigate; payment for damage . . ,, ss.4,5.
Application of ss. 4, 5, when land required for Company . . ,, s.38.
Procedure for acquiring land:
Power of Local Government to make declaration that land is needed for public purpose or for Company . . . ,, s.6.
Preliminary proceedings of Collector thereon . . . ,, ss.7to10.
Collector to make enquiry . . . . . ,, ss.11,13.
,, power of, to summon witnesses, etc. . . . ,, s.14.
,, matters to be considered by, in determining compensation . . . . . ,, ss.15,23, 24.
,, award by . . . . . ,, ss.11,12.
Power to take possession of land . . . . . ,, ss.16,17.
Reference to Court by person not accepting award; procedure thereupon . . . . . ,, ss.18to 27.
Award by Court; costs . . . . . ,, ss.26,27.
Compensation; determination of, by Collector . . . ,, ss.11to 15,23,24.
,, ,, by Court . . . ,, ss.18to 22.
,, matters to be considered and matters to be neglected in determining . . . . ,, ss.23,24
,, amount of . . . . . ,, s.25.
,, interest on . . . . . ,, ss.28,34.

LAND (INDIAN LAW)—*contd.*

A.—GENERALLY—*contd.*

2. **Compulsory Acquisition of Land**—*contd.*

(b) INVESTIGATION AND ACQUISITION—*contd.*

Procedure for acquiring land—*contd.*

Compensation; apportionment of	Act 1, 1894, ss. 29, 30.
,, payment of	s. 31.
,, deposit of, in Court; investment of money so deposited	,, ss. 31 to 33.
Mines and minerals:	
Power to except them in acquiring land	Act 18, 1885, s. 3.
Notice to Government before working mines so excepted	,, s. 4.
Power of Government to prevent or restrict working of such mines on payment of compensation; maintenance of communications, and payment of damages by Government	,, ss. 5, 6, 8 to 10.
If compensation not paid, such mines may be worked, but damage to surface must be repaired	,, s. 7.
Power of Government to inspect mines and secure safety of acquired land	,, ss. 11 to 13.
Application of Act in case of Local Authority or Company; definitions	,, ss. 14, 16.

(c) TEMPORARY OCCUPATION OF LAND.

Power of Local Government to require Collector to procure occupation, for public purpose or for Company, for not more than three years, on payment of compensation; reference of differences to Civil Court	Act 1, 1894, ss. 35 to 37.
Such land when to be acquired permanently	,, s. 36, prov.

(d) MISCELLANEOUS PROVISIONS.

Consent of Local Government and execution of agreement required before applying ss. 6 to 37 to acquisition of land for Company	,, ss. 39 to 42.
Ss. 39 to 42 not to apply where Government bound by agreement to provide land for Company	,, ss. 43, 44.
When land acquired for Company or Local Authority, charges to be paid by it; Company or Local Authority may adduce evidence to determine compensation	,, s. 50.
Acquisition of part of building	,, s. 49.
Completion of acquisition not compulsory, but compensation to be awarded when acquisition not completed	,, s. 48.
Penalty for obstructing acquisition	,, s. 46.
Magistrate or Commissioner of Police to enforce surrender of land.	,, s. 47.
Service of notices	,, s. 45.
Exemption from stamp-duty and copying fees	,, s. 51.
Proceedings for things done under Act: notice of; tender of amends	,, s. 52.
Code of Civil Procedure to apply to proceedings before Court	,, ss. 53, 54.
Appeal to High Court from award	,, s. 54.
Power of Local Government to make rules for enforcement of Act	,, s. 55.

LAND (INDIAN LAW)—*contd.*

A.—GENERALLY—*contd.*

2. Compulsory Acquisition of Land—*contd.*

(*d*) MISCELLANEOUS PROVISIONS—*contd.*

Amendment of ss. 40 (1) (*b*) and 41 (5) in case of acquisition for electrical undertakings . . . . . Act9,1910,s.57(1).

Application of Act I, 1894, to acquisition of land under Bom. City Improvement Act, 1898 . . . . . Bom.Act4,1898,ss.47to 50.

Acquisition of land :

In Chittagong Hill tracts : power to make rules for . . Reg.1,1900,s.18(2),(*k*).

For canals. *See* IRRIGATION, II ; V.

For drainage. *See* DRAINAGE, I.

For Indus preventive line. *See* SALT, II, 3.

For lessee under Upper Burma Ruby Regulation . . . Reg.12,1887,s.16.

In estate of istimrardar, Ajmere . . . . . Reg.2,1877,s.26.

In forests. *See* FOREST, I, 8.

In Frontier. *See* FRONTIER, A, D.

Under Bombay Salt Act. *See* SALT, IV, 3.

For Cantonment Authority. *See* CANTONMENT, 3.

For Local Self-government Boards :

See LOCAL SELF-GOVERNMENT, II, 5 ; III, 5 ; IV, 5 ; V, 5 ; VII, 5 ; VIII, 5 ; IX, 5.

For Municipal Commissioners :

See UNDER MUNICIPALITY (*sub-heading* "Funds and Property.")

For Port Commissioners or Trustees :

See PORT COMMISSIONERS, II, 3 ; III, 3 ; IV, 3 ; V, 4 ; VI, 3 ; VII, 3 ; VIII, 3.

3. Compulsory Imposition of Restrictions on enjoyment of Land.

(*a*) PRELIMINARY.

Act 7, 1903, extends to whole British India . . . . . Act7,1903,s.1.

Definitions . . . . . ,, s.2.

(*b*) IMPOSITION OF RESTRICTIONS.

Restrictions which may be imposed on enjoyment of land near works of defence . . . . . ,, s.7(am. Act. 5,1909).

Procedure for imposing restrictions :

Declaration to be made by Local Government and published in Gazette that it is necessary to impose restrictions on use of any land : to be conclusive proof of necessity ; public notice to be given by Collector . . . . . ,, s.3.

Preliminary proceedings ; power to enter on, survey, etc., land ; payment of damage . . . . . ,, ss.4,5.

Restrictions declared by Local Government to attach on land . ,, s.7.

Power to enter on land, remove buildings, etc., and level and clear land . . . . . ,, s.6.

Collector to prepare plan of land and issue notice to persons interested . . . . . ,, ss.8,9.

Power to require any person interested to state names of other persons interested . . . . . ,, ss.10,11.

Collector ; inquiry and award of compensation . . . Act7,1903,ss.12,13,14,17.

LAND (INDIAN LAW)—*contd.*

A.—GENERALLY—*contd.*

3. Compulsory Imposition of Restrictions on enjoyment of Land—*contd.*

(*b*) IMPOSITION OF RESTRICTIONS—*contd.*

Procedure for imposing restrictions—*contd.*

Collector; power of, to summon witnesses, etc.	Act 7, 1903, s. 15.
Compensation, matters to be considered and neglected in determining amount of	,, ss. 16, 23, 24.
Reference to Court and procedure thereon	,, ss. 18 to 22.
Award by Court	,, s. 26.
Compensation awarded by Court not to exceed amount claimed or be less than amount awarded by Collector	,, s. 25.
Compensation, apportionment of	,, ss. 29, 30.
Payment and investment of	,, ss. 31, 32, 33.
where imposition of declared restrictions not completed	,, s. 38.
Costs and interest	,, ss. 27, 28, 34.

(*c*) MISCELLANEOUS PROVISIONS.

Proceedings before Court; Code of Civil Procedure to apply	,, s. 42.
Appeal to High Court in	,, s. 43.
Notices, service of	,, s. 35.
Demolition of part of house, etc.	,, s. 39.
Magistrate to enforce terms of the Act	,, s. 37.
Penalties	,, s. 36.
Exemption from stamp-duty and fees	,, s. 40.
Notice required in case of suit or proceeding against any person for anything done in pursuance of Act	,, s. 41.
Rules; power to make	,, s. 44.

4. Miscellaneous.

Definitions of "land." *See* WORDS AND PHRASES.	
Regulation of occupation of, and registration of, land in cantonment	Act 15, 1910, s. 24 (*1*) to (*4*).

Grant of land by Crown. *See* CROWN LANDS.

Restrictions on acquisition of land on frontier. *See* FRONTIER, A, 3; D, 1.

See also ALLUVION AND DILUVION; MINES AND MINERALS; PARTITION; REGISTRATION OF LAND; WASTE LAND; *and other appropriate heads.*

B.—AJMERE.

Soil and embankments of tanks constructed by Government to belong to it	Reg. 2, 1877, s. 4.
Rights of Government in regard to waters	,, s. 5.
Regulation of use of pasturage, or other natural product of Government land	,, s. 6.
Rights of villagers over common land of village	,, s. 7.

ANDAMANS.

See ANDAMAN AND NICOBAR ISLANDS.

LAND (INDIAN LAW)—*contd.*

C.—ASSAM.

Rights which alone may be acquired over land . . . . . Reg.1,1886,s.6.
Saving of existing rights of proprietors . . . . . ,, s.7.
Status of landholder how acquired; nature of his right; forfeiture of status on relinquishment of land . . . . . ,, ss.8to10.
Settlement-holder to have no rights not expressed in settlement-lease . . . . . ,, s.11.
Power to make rules for disposal of Government land, and for allotment, etc., of grounds therein for grazing and for use of persons practising migratory cultivation; bar to acquisition of rights not given by such rules . . . . . ,, ss.12to15.
Ss. 6 to 15 not to apply to certain lands; power to define boundaries of such lands . . . . . ,, ss.4,5.

D.—BOMBAY PRESIDENCY.

(*a*) GENERALLY.

Certain suits as to land to be brought in Civil Courts and not in Revenue Courts. *See* CIVIL COURTS, VI, A, 4.
Bar to jurisdiction of Civil Courts in certain cases relating to land . . . . . Act10,1876,ss.4,5.

(*b*) ELSEWHERE THAN IN CITY OF BOMBAY.

All public roads, etc., and all lands not the property of others, declared to belong to Government; saving of private rights, etc.; disposal of such lands; limitation of suits to set aside Collector's order . . . . . Bom.Act5,1879,ss.37,135.
Power to assign Government lands for free pasturage of village-cattle, for forest-reserves or for other public or municipal purposes; regulation of use of free pasturage . . . . . ,, ss.38,39.
Written permission required before taking up unoccupied land . ,, s.60.
Power to suspend operation of s. 60 . . . . . ,, s.82.
Penalties for unauthorised occupation of land . . . . . ,, ss.61,214(*f*).
Power to require payment for, or sell, and to annex conditions to, occupancy-right, before granting permission to occupy land; special rules as to alluvial land . . . . . ,, ss.62to64.
Rights of occupants as to use of land . . . . . ,, ss.65to69 (am.Bom.Act1, 1910,s.2).
Transfer of occupant's rights under decree or order of Court . ,, s.70.
Devolution of occupant's right . . . . . ,, s.71.
When occupant dies intestate, right of occupancy to be sold . ,, s.72.
Right of occupancy heritable and transferable; power to restrict right to transfer . . . . . ,, ss.73,73A.
Relinquishment or private transfer of occupant's rights . . ,, ss.74to79.
Summary eviction by Collector of person unauthorizedly occupying land . . . . . ,, s.79A.
Conferral on holder of alienated lands of powers of Collector under ss. 65, 66 and 74 . . . . . ,, ss.88(*d*),89, Sch.F.
Power to suspend operation of s.74 . . . . . ,, s.82.

LAND (INDIAN LAW)—*contd.*

D.—BOMBAY PRESIDENCY—*contd.*

(*b*) ELSEWHERE THAN IN CITY OF BOMBAY—*contd.*

Villages, towns and cities:

Power to determine what lands are included in, and to vary limits of . . . . . Bom. Act 5, 1879, s. 126.

Exemption from land-revenue:

Act 11, 1852, and Bom. Acts 2 and 7, 1863, how far applicable to land in town or city . . . . . ,, s. 127.

Existing exemption of land in town or city continued in certain cases; decision by Collector of claims to exemption; limitation of suits to set aside Collector's order . . ,, ss. 128, 129, 135.

Occupancy-price to be paid in certain cases for non-agricultural land in town or city in addition to land-revenue . ,, s. 130.

Survey of non-agricultural lands in . . . . . ,, s. 131.

Fee to be paid by holders of building-sites for survey in certain towns or cities; grant of sanad after payment of fee . . . . . ,, ss. 132, 133, Sch. H.

Assessment of agricultural land in, when appropriated to other purposes . . . . . ,, s. 134.

Ss. 126 to 134 how far applicable to alienated villages . ,, s. 216.

Record-of-rights:

Bom. Act 4, 1903, extends to whole of Bombay Presidency except City of Bombay, Aden, and scheduled district of Mehwassi Chiefs' villages; power to exempt specified areas, etc., from operation of Act . . . . . Bom. Act 4, 1903, ss. 1(2), 17.

Record-of-rights, register of mutations and other registers in respect of land in the village to be prepared and kept in every village; form and contents of record; revision of record by Revenue-officers . . . . . ,, s. 3.

Obligation to report acquisition of rights in land and to furnish information as to rights in land; penalty . . . . ,, ss. 4, 7, 8.

Duties of village-accountant, etc., in respect of reports of acquisition of rights and of objections to report or entry; village-accountant to report cases of acquisition of right not reported by party; powers and duties of village-accountant in making entry regarding the possession or acquisition of right . ,, ss. 5, 6.

Power to require assistance from landholders, etc., in preparation or revision of maps or plans in connection with record or register . . . . . ,, s. 9.

Certified copies of entries in record or to be attached to plaint in suit for land; errors found by Court in such entries to be reported to Collector: entries to be corrected accordingly. ,, ss. 10, 11.

Records and registers open to inspection; certified copies or extracts to be given on application . . . . ,, s. 14.

Application under s. 86 of Bom. Act 5, 1879, not to be granted unless supported by entry in record-of-rights . . . ,, s. 12.

Entry in record or register, etc., not to affect liability to pay land-revenue . . . . . ,, s. 13.

Rules under Act to be made after previous application . ,, s. 16.

Bar to suit against Government or Government officers in respect of entries in record, register, etc. . . . . ,, s. 15.

LAND (INDIAN LAW)—*contd.*

D.—BOMBAY PRESIDENCY—*concld.*

(*b*) ELSEWHERE THAN IN CITY OF BOMBAY—*concld.*

Aden:

Power to make rules regarding occupation, transfer, registration, acquisition, etc., of land, etc. . . . . Reg.7,1900,s.10.

Sindh—

Bom. Act 3, 1899, application of . . . . . Bom.Act3,1899,s.3.

Grant of occupancies of lands on certain conditions . . „ ss.4,5,6 (sub. Bom.Act1, 1908,s.2),7 (am.Bom.Act 1,1908,s.3).

Transfer of *rights of occupancy* or sale or *attachment* in execution . . . . . „ s.8.

Recovery of sum due to Government as land-revenue . . „ s.9.

Application of Act to certain occupancies granted before commencement . . . . . s.10(rep.pt.Bom.Act1, 1908,s.4).

Saving of validity of certain grants . . . . . Bom.Act1,1908,s.5.

(*c*) CITY OF BOMBAY.

All unoccupied lands declared to belong to Government, subject to rights of the public; disposal of such lands . . . Bom.Act2,1876,ss.24,25.

Powers where encroachment made on Government land . . „ ss.26to23,

Rent of house, etc., belonging to Government recoverable as land-revenue . . . . . „ s.37.

E.—LOWER BURMA.

Rights which alone may be acquired over land . . . . Act2,1876,s.6. Bur.Act4,1902,s.82.

Status of landholder how acquired; nature of his rights; forfeiture of status by neglect to assert it or by relinquishment of land . . . . . Act2,1876,ss.7to11.

Temporary transfer of land to Revenue-officer, on petition of *land-holders*; recovery of possession, subject to rights of occupant . . . . . „ ss.12to14.

Declaration and record of original acquisition of landholder's *status*; cancellation of such declaration; Civil Courts to decide questions as to landholder's status in accordance with such declaration, or with decision of Revenue-officer . . „ ss.15to17.

Power to make rules for disposal and temporary occupation of Government land, and for allotment, etc., of grounds therein for grazing and for use of persons practising toungya cultivation; *bar to acquisition of rights not given by such rules* . „ ss.18to22.

Ss. 6 to 22A of Act 2, 1876, not to apply to certain lands; power to define boundaries of such lands . . . . . „ ss.4,5.

Right of Government to work mines, etc., belonging to it and to assign such right; compensation for occupation or disturbance of surface on exercise of such right . . . . . „ s.38A.

Right of Government to grant license and impose fees for collecting edible birds' nests from certain lands . . . . . „ s.40.

Alienations of land, permanent or temporary, to be reported to Revenue-officer; penalty for failure to report . . . „ ss.22A.

LAND (INDIAN LAW)—*contd.*

E.—LOWER BURMA—*contd.*

Appeals from and revision of orders . . . . . Act2,1876,s.54.
Bar to jurisdiction of Civil Courts . . . . . ,, s.55.
Powers conferable on Revenue-officers . . . . . ,, s.56.
Power to make rules: publication of; penalty for breach of . . ,, ss.57to60.
Lands in towns and villages:
Bur. Act 4, 1898, extends to whole of Lower Burma except hill district of Arakan and applies only to . . . . Bur.Act4,1898,ss.1(2),2.
Power to define boundaries of towns and villages . . . ,, s.5.
Rights which alone may be acquired over land in towns and villages . . . . . ,, ss.4(10)6.
Landholder's right defined; how acquired; special provisions for acquisition of such right in Akyab, Bassein and Prome . ,, ss.6to9.
Effect of including land within limits of town or village; rights acquired or mode of acquiring rights over, unaffected . . ,, s.10.
Ss. 6 to 10 of Bur. Act 4, 1898, not to apply to certain lands . ,, s.3(1),(2),(3).
Landholder's rights lost by abandonment of land . . . . ,, s.11.
Declaration and record of original acquisition of landholder's rights; cancellation of such declaration and record; Civil Courts to decide questions as to landholder's right in accordance with such declaration, or with decision of Revenue-officer . . . . . ,, ss.12to15.
Land at the disposal of Government, defined . . . ,, s.4(2).
,, ,, ,, ,, how disposed of; power of Local Government to make rules for disposal of . . . ,, ss.16,17.
Ss. 16,17 of Bur. Act 4, 1898, not to apply to cantonment lands. ,, s.3(1).
State land: eviction from: compensation . . . . ,, ss.18,21.
Penalty for unauthorized possession or using for unauthorized purposes of land at the disposal of Government or State land ,, ss.19,20.
Right of Government to work mines, etc., belonging to it and to assign such rights; compensation for occupation or disturbance of surface in exercise of such right . . . ,, s.23A.
Record of town lands to be kept in scheduled and notified towns; particulars to be entered: transfers or devolutions of title or acquisition of possession to be reported to Revenue-officer; penalty for failure to report in certain cases: inquiry by Revenue-officer and alteration of record: record to be presumptive evidence of possession . . . . ,, ss.27to35.
Person entered on record liable to pay all revenue, taxes, etc. . ,, s.36.
Ss. 27 to 36 not to apply to land held under Government on monthly lease or under tenancy-at-will . . . . ,, s.37.
Provisions as to appeal, revision, bar to jurisdiction of Civil Courts and power to make rules as regards town and village lands . . . . . ,, ss.39to44.
Bar of suit against Revenue-officer for things done under Bur. Act 4, 1898 . . . . . ,, s.45.

LAND (INDIAN LAW)—*contd.*

F.—UPPER BURMA.

"State Land;" definition of . . . . . Reg.3,1889,s.23.
" " cognizance of claims to, or to interest in; limitation . . . . . " s.24.
" " incidents of tenure of; rent; power of ejectment . . . . . " s.25.
" " power to make rules for disposal and temporary occupation of State land, and for allotment, etc., of grazing grounds thereon; bar to acquisition of rights not given by such rules " s.26.
" " recovery of rent for . . . . . " ss.37to46.
" " bar to jurisdiction of Civil Courts in matters relating to . . . . . " s.53.
Right of Government to precious stones, mines, minerals, coal and earth-oil; power to assign such right; compensation for occupation or disturbance of surface in exercise of such right . " s.31.

G.—COORG.

Definition of "land" . . . . . Reg.1,1899,s.3(3).
All lands and water not the property of others declared to belong to the Government; power of Commissioner to dispose of same . . . . . " s.42.
Power to evict persons from such land or water . . . . " s.43.
Relinquishment of holdings by landholders; eviction of trespassers after such relinquishment . . . . . " s.44.
Prohibition of alienation of lands the land-revenue of which has been assigned or released; power to evict alienees . . " s.45.
Procedure for eviction of persons wrongfully in possession of land . . . . . " s.46,Sch. II.
Rights of Government in mines, minerals, quarries, earth-oil, gold washings and sandal-wood trees . . . . " s.47.
Power to make rules for carrying out purposes of Reg. 1, 1899. . " s.143(f).

H.—MADRAS PRESIDENCY.

Land, etc., when to be deemed to belong to Government; lands claimed by escheat, etc., not subject to Act until reduced into possession by Government. . . . . Mad.Act3,1905,ss.2,16.
Unauthorized occupation of Government land; liability to assessment; penalty; eviction; forfeiture of crops, etc.; procedure; rules . . . . . " ss.3to8.
Assessment or penalty recoverable as arrears of land-revenue . " s.9.
Appeal: limitation . . . . . " ss.10to12.
Right of suit; limitation . . . . . " s.14.
Saving of operation of other laws . . . . . " s.13.
Validation of past assessments . . . . . " s.15.

I.—N.-W. FRONTIER AND PUNJAB.

Certain transfers and successions to interest in land to be reported to Revenue-officers; penalty for failure . . Act17,1887,ss.34,39. Act13,1900,s.18.

LAND (INDIAN LAW)—*contd.*

I.—N.-W. FRONTIER AMD PUNJAB—*cont.*

Definitions	Act13,1900,s.2(am.in Punj.P.Act1, 1907,s.2).
Restrictions on power of members of agricultural tribe to alienate land; instruments contravening, or invalid under, Act not to be registered	,, ss.3to15 (am.inPunj., P.Act1,1907, ss.4to8),17.
Land belonging to member of agricultural tribe not to be sold in execution of decree of Civil or Revenue Court; exceptions	,, s.16.
Execution of certain decrees against member of agricultural tribe to be transferred to Deputy Commissioner; powers of Deputy Commissioner	,, s.21A(add. Punj.Act1,1907, s.9).
Exercise of powers of Deputy Commissioner	,, s.23.
Application of certain provisions of Act 17, 1887	,, s.19.
Legal practitioners not to appear in proceedings under Act.	,, s.20.
Bar to jurisdiction of Civil Court	,, s.21.
Power to exempt area, person or class of persons from provisions of Act	,, s.24.
Power to make rules	,, s.25.

See also LAND PRESERVATION (*below*).

J.—PUNJAB.

P. Act 1, 1902, extends to Sind-Sagar Doab	P.Act1,1902,s.1(2)(am. P.Act2,1904, s.2).
Definitions	,, ss.1(2)(am. P.Act 2,1904,s.2),2.
Agreement to surrender to Government rights in land from date of beginning excavation of permanent flow canal from Indus in the Sind-Sagar Doab on consideration of receiving in return similar rights in one-fourth the quantity of land after construction of canal under prescribed conditions	,, ss.3to5.
Proclamation requiring persons to notify claim or objection, decision or claim or objection; execution of agreement	,, s.6.
Agreement exempted from Stamp or Registration law	,, s.9.
Agreement by two-thirds of land-owners binding on the rest	,, s.7.
Agreement on behalf of wards of Court—minors, lunatics, persons out of possession, purda women	,, s.8.
Agreement to have effect against certain persons	,, s.10.
Land to vest in Government free from incumbrances on restoration of substituted land; power to declare encumbrances to attach to substituted land	,, s.11(2), ss.11A,11B, (add.P.Act2, 1904,s.3).
Right of Government to land acquired under Act not to be questioned in Civil or Revenue Court	,, s.11(1).
Enforcement of agreements under Act	,, s.12.
Application of provisions of Act 17, 1887, Ch. II	,, s.13.
Validation of prior agreements for surrender	,, s.14,(sub.P. Act2,1904,s.4).
Power of Financial Commissioner to make rules	,, s.16
Bar to suit against public servant for things done in good faith under Act	,, s.15.

LAND (INDIAN LAW)—*contd.*

K.—UNITED PROVINCES.

Certain transfers and successions to interest in land to be reported to Revenue-officers: disabilities and penalty for failure . U.P.Act3,1901,ss.34,38. U.P.Act2,1903,s.18.

U. P. Act 2, 1903, extends to Banda, Hamirpur, Jhansi and Jalaun Districts and to Meja, Bara and Karchana Sub-divisions of Allahabad District; power to exempt any area, person or class of persons from provisions of Act . . . . . ,, ss.1,23.

Definitions . . . . . ,, s.2.

Restrictions on power of members of agricultural tribe to alienate land . . . . . ,, ss.3to15.

Land belonging to member of agricultural tribe not to be sold in execution of decree of Civil or Revenue Court: exceptions . ,, s.16.

Execution of mortgage-decree against member of agricultural tribe to be transferred to Collector: powers of Collector. . ,, s.17.

Exercise of powers of Collector . . . . . ,, s.19.

Application of certain provisions of U. P. Act 3, 1901 . . ,, s.20.

Legal practitioners not to appear in proceedings under Act . ,, s.21.

Bar to jurisdiction of Civil Court . . . . . ,, s.22.

Power to make rules . . . . . ,, s.24.

LANDHOLDER.

Definitions of. *See* WORDS AND PHRASES.

Act 2, 1853, declared in force—

throughout British India, except as regards the Scheduled Districts . . . . . Act15,1874,s.3.

in the Santhál Parganas . . . . . Reg.3,1872,s.3,Sch.

in the Arakan Hill District . . . . . Reg.9,1874,s.3.

in Upper Burma generally (except the Shan States) . . Act13,1898,s.4,Sch.I.

None exempted from public charges, or assessments or duties, by reason of place of birth or of descent . . . . Act2,1853.

Ben. Reg. 1, 1801, s. 10, and Act 20, 1848, declared in force—

throughout Bengal, except as regards the Scheduled Districts . Act15,1874,s.6.

in the Santhál Parganas . . . . . Reg.3,1872,s.3,Sch.

Ben. Reg. 12, 1817, declared in force in Santhál Parganas . .

Attendance of, before Revenue-authorities. *See* ATTENDANCE.

Prosecution of, for connivance at offence . . . . (Cuttack)Ben.Reg.13,1805.

Not to interfere in matters coming within jurisdiction of Courts. *See* COURT.

Management of estates of, by Court of Wards. *See* COURT OF WARDS.

LANDHOLDERS' PUBLIC CHARGES AND DUTIES ACT, 1853 (*See* LANDHOLDER) . . . . . Act2,1853.

LANDING AND WHARFAGE FEES ACT (BOMBAY), 1882 *See* CUSTOMS, SEA; PORT, II, A) . . . . . Bom.Act7,1882.

LANDING-PLACES.

Regulation of. *See* PORT, II; PORT COMMISSIONERS OR TRUSTEES, I; II TO VIII, *sub-heading* 3.

LANDLORD defined. *See* WORDS AND PHRASES

LANDLORD AND TENANT PROCEDURE ACT, 1869 (*See* LANDLORD AND TENANT, II) . . . . . Ben. Act 8, 1869.

LANDLORD AND TENANT.

1793. [1] Ben. Reg. 8, ss. 49 to 55, 64, 65 (Leases; Rent: Bengal and Assam).
1802. Mad. Reg. 25, s. 14 (Rent).
1812. Ben. Reg. 5, ss. 2 to 4, 26, 72 (Leases; Managers; Cesses: Bengal).
„ Ben. Reg. 18, ss. 2, 3 (2) (Leases, Bengal).
1814. Ben. Reg. 29, ss. 2 to 5 (Ghatwals, Bengal).
1819. Ben. Reg. 8 (Patni taluqs; Leases; Sale for arrears: Bengal and Assam).
1820. Ben. Reg. 1 (Sale for arrears, Bengal and Assam).
1822. Mad. Reg. 4 (Suits).
1839. Act 7, ss. 2, 3, 5, 6 (Arrears, Madras Presidency).
1850. Act 25 (Sale for arrears, Bengal and Assam).
1853. Act 6 (Sales and suits for arrears, Bengal and Assam).
1859. Act 5 (Ghatwals, Bengal).
„ Act 10 (General, Bengal).
1862. Ben. Act 6 (General, Bengal).
„ Bom. Act 5 (Bhagdari and Narwadari Tenures).
1864. Mad. Act 2, ss. 11, 35, 64 (Recovery of revenue).
1865. [1] Ben. Act 8 (Sale for arrears, Bengal and Assam).
„ Bom. Act 1, s. 38 (Khots).
1867. Ben. Act 4 (Appeals, Bengal).
1869. Ben. Act 2 (Bhuinhari and Majhahas Tenures, Chota Nagpur).
„ Ben. Act 8 (Agricultural Tenancies, Assam).
1872. Reg. 3, ss. 3, 5, 18, 20 to 22, 26 (Santhál Parganas).
1874. Act 15, s. 4 (Laws Local Extent).
1876. Act 10, ss. 1, 4, 5 (Suits in Civil Courts, Bombay).
„ Act 18, ss. 25, 26, 39 (*g*) (Laws, Oudh).
1877. Reg. 1, s. 29 (Record of evidence, Ajmere).
„ Reg. 2, ss. 41 to 56 (Land and Revenue, Ajmere).
1879. Ben. Act 8 (Settlement-officers' Powers, Bengal).
„ Bom. Act 5, ss. 58, 59, 83 to 94, 117 (General).
1880. Bom. Act 1 (Khots).
1885. Act 7, s. 2 (Panch Mahals).
„ Act 8 (Agricultural Tenancies, Bengal).
1886. Act 22 (Agricultural Tenancies, Oudh).
„ Reg. 2 (Santhál Parganas).
1887. Act 16 (Agricultural Tenancies, Punjab).
„ Act 17, ss. 110 to 135, 158 (Land-revenue, Punjab).
„ Reg. 13 (Agricultural Tenancies; Hazara District, Punjab).
1890. Act 20, ss. 54, 63 (Agricultural Tenancies, United Provinces.
1893. Act 3 (Government Tenancies, Punjab).
1895. Ben. Act 3, ss. 20, 28 to 32, 36 (Landlord's fee on transfer; Recovery of expenses of survey and record-of-rights: Bengal).
1896. Mad. Act 1 (Malabar and South East Wynaad).
1898. Act 11 (Landlord and Tenant, Central Provinces), Ben. Act 3 (Tenancy, amendment).
1899. Reg. 1, ss. 70, 94 (Land-revenue, Coorg).
1900. Act 13, s. 2A (Land Alienation, Punjab).
„ Mad. Act 1 (Compensation, Landlord and Tenant, Malabar).
1901. Reg. 7, ss. 3, 6 (Laws, N.-W. Fr.).
„ U. P. Act 2, (Tenancy, Agra).
„ U. P. Act 3, ss. 36, 56, 79, 87, 88 to 91, 100, 101, 104, 128, 138, 186, 187, 234 (Land revenue).
1903. Bom. Act 4, ss. 12, 17 (Land, Record-of-rights).
„ Ben. Act 1 (Tenancy, Validation).
1904. Act 7, s. 8 (Ancient Monuments).
1904. Reg. 3 (Tenancy, Hazara).
1908. Act 5, ss. 4, 5 (Civil Procedure).
„ Mad. Act 1 (Estates, Land).
„ Ben. Act 6 (Tenancy, Chota Nagpur).

[1] Ben. Reg. 8, 1793, has been declared in force in the districts of Sylhet and Goalpara (excluding the Eastern Drars), and Ben. Act 8, 1865, in the district of Sylhet, by notification under the Scheduled Districts Act, 1874.

LANDLORD AND TENANT—*contd.*

GENERALLY.

I.—AJMERE.

II.—ASSAM
- A.—UNDER THE LANDLORD AND TENANT PROCEDURE ACT, 1869.
  - 1. Preliminary.
  - 2. Rights, Powers and Obligations of Landlords and Tenants.
    - (*a*) *Engagements.*
    - (*b*) *Rents.*
    - (*c*) *Miscellaneous.*
  - 3. Jurisdiction and Procedure.
- B.—UNDER OTHER ENACTMENTS.

III.—BENGAL, EXCEPT SAMBALPUR DISTRICT.
- A.—UNDER THE BENGAL TENANCY ACT, 1885.
  - 1. Preliminary.
  - 2. Status of tenants, and General Rights, Powers and Obligations of Landlords and Tenants.
  - 3. Rent.
  - 4. Records and Settlement of Rents.
  - 5. Miscellaneous Provisions.
  - 6. Jurisdiction and Procedure.
  - 7. Supplemental.
- B.—UNDER OTHER ENACTMENTS.

IV.—EASTERN BENGAL AND ASSAM
- A.—EASTERN BENGAL.
  - 1. Preliminary.
  - 2. Status of Tenants, and General Rights, Powers and Obligations of Landlords and Tenants.
  - 3. Rent.
  - 4. Records and Settlement of Rents.
  - 5. Miscellaneous Provisions.
  - 6. Jurisdiction and Procedure.
  - 7. Supplemental.
- B.—EASTERN BENGAL AND ASSAM.

V.—BOMBAY PRESIDENCY
- 1. Generally.
- 2. Khoti land.
- 3. Bhagdari and Narwadari Tenures.

VI.—CENTRAL PROVINCES AND THE SAMBALPUR DISTRICT OF BENGAL.
- 1. Preliminary.
- 2. Status of Tenants and Rights, Powers and Obligations of Landlords and Tenants.
  - (*a*) *Generally.*
  - (*b*) *Absolute occupancy-tenants.*
  - (*c*) *Occupancy-tenants.*
  - (*d*) *Village-service-tenants.*
  - (*e*) *Sub-tenants.*
  - (*f*) *Ordinary tenants.*
- 3 Jurisdiction and Procedure.
- 4 Miscellaneous.

VII.—COORG.

LANDLORD AND TENANT—*contd.*

VIII.—MADRAS PRESIDENCY
- A. MADRAS PRESIDENCY (EXCEPT THE CITY OF MADRAS).
  - 1. Preliminary.
  - 2. Status of Tenants and Rights, Powers and Obligations of Landholders and Tenants.
    - (*a*) *Generally.*
    - (*b*) *Rent.*
    - (*c*) *Ejectment and Relinquishment.*
    - (*d*) *Compensation for Tenants' Improvements (Malabar District).*
    - (*e*) *Miscellaneous.*
  - 3. Jurisdiction and Procedure.
  - 4. Miscellaneous.
- B.—CITY OF MADRAS.

IX.—PROVINCE OF AGRA
- 1. Preliminary.
- 2. Status of Tenants, and General Rights, Powers and Obligations of Landholders and Tenants.
- 3. Rent.
- 4. Record-of-rights.
- 5. Miscellaneous Provisions.
- 6. Jurisdiction and Procedure.
- 7. Supplemental.

X.—OUDH
- 1. Preliminary.
- 2. Rights, Powers and Liabilities of Landlords, Under-proprietors and Tenants.
- 3. Jurisdiction and Procedure.
- 4. Miscellaneous.

XI.—PUNJAB AND N.-W. FRONTIER PROVINCE.
- A.—ORDINARY TENANCIES.
  - 1. Preliminary.
  - 2. Right of Occupancy.
  - 3. Rent.
    - (*a*) *Generally.*
    - (*b*) *Enhancement and Reduction of Rents.*
    - (*c*) *Other Alterations of Rents.*
  - 4. Cessation of Tenancy.
  - 5. Improvements and Compensation.
  - 6. Jurisdiction and Procedure.
  - 7. Miscellaneous.
- B.—GOVERNMENT TENANCIES.

GENERALLY.

Code of Civil Procedure not to affect laws passed by Local Councils prescribing special procedure for suits between landholders and their tenants or agents . . . . . Act 5, 1908, s. 4.

Power of Local Government to modify Code of Civil Procedure in its application to Revenue Courts . . . . . „ s. 5.

I.—AJMERE.

Definition of "ex-proprietary tenants"; such tenants to have right of occupancy at favourable rate . . . . . Reg. 2, 1877, s. 41.

Fixing of rent of ex-proprietary tenant or other occupancy-tenant by Revenue-officer; enhancement or abatement by Revenue-officer of rent so fixed . . . . . „ ss. 42 to 46

LANDLORD AND TENANT—*contd.*

I.—AJMERE—*contd.*

Changes from money rent to rent in kind, and *vice versâ* . . Reg.2,1877,s.47.
Division of crop by Revenue-officer, to determine rent payable; suit lies where error made in division . . . . . „ ss.48,49.
Estimating of standing crop by Revenue-officer, to determine rent payable; suit lies only on ground that estimate was made in bad faith . . . . . „ ss.50,51.
Ejectment of tenants generally; compensation to be paid for improvements . . . . . „ ss.52to55.
Relinquishment by tenant-at-will . . . . . „ s.56.
Mode of recording evidence in suits between landlord and tenant Reg.1,1877,s.29(am.Reg.1, 1910).

See also ISTIMRARDAR.

II.—ASSAM.

A.—UNDER THE LANDLORD AND TENANT PROCEDURE ACT, 1869.

1. Preliminary.

Local extent of Ben. Act 8, 1869 . . . . . Ben.Act8,1869,s.106.
Repeal; pending suits . . . . . „ ss.107, 108.
Definition of "Collector . . . . . „ s.1.

2. Rights, Powers and Obligations of Landlords and Tenants.

(*a*) *Engagements.*

Raiyat entitled to patta . . . . . „ ss.2to5,81.
Term of patta . . . . . „ s.9.
Landlord entitled to counterpart of patta . . . . . „ s.10.
Grant of patta or counterpart by Court after decree, in default of defendant . . . . . „ ss.55,56.

(*b*) *Rent.*

Rate of, payable by raiyat in certain cases . . . . . „ ss.3to5.8.
Receipts to be given for . . . . . „ s.11.
Damages for exactions in excess of . . . . . „ s.11.
„ extorting payment of, by duress . . . . . „ s.13.
Enhancement of . . . . . „ ss.14to18.
Abatement of . . . . . „ s.19.
Arrear of:
Definition . . . . . „ s.21.
Ejectment for non-payment of . . . . . „ s.22.
Cancellation of farmers' lease . . . . . „ s.23.
Deposit of, in Court . . . . . „ ss.46,47,Schs. A,B.

See also below, 2.

(*c*) *Miscellaneous.*

Right of occupancy when acquired . . . . . „ ss.6,7.
Withdrawal of landlord's power to compel attendance of tenant „ s.12.
Relinquishment by raiyat . . . . . „ s.20.

LANDLORD AND TENANT—*contd.*

II.—ASSAM—*contd.*

A.—UNDER THE LANDLORD AND TENANT PROCEDURE ACT, 1869—*contd.*

2. Rights, Powers and Obligations of Landlords and Tenants—*contd.*

(*c*) *Miscellaneous*—contd.

Measurement of lands	Ben. Act 8, 1869,	ss.25,37 to 41.
Registry of transfers of, and successions to, taluq or tenures intermediate between the zamindár and the cultivator	,,	s.26.

3. Jurisdiction and Procedure.

Suits to be cognizable by Civil Courts	,,	s.33.
In what Court suit to be instituted	,,	ss.35,36.
Jurisdiction of Small Cause Courts not extended by Act	,,	s.104.
Application of Code of Civil Procedure	,,	s.34.
Naib or gumashta deemed recognized agent for purposes of s. 37 of Code of Civil Procedure	,,	s.32.
Suits may be brought by or against sarbarahkars or tahsildars of estates held khas	,,	s.24.
Limitation of suits	,,	ss.27to31.
Register of suits	,,	s.42.
Form of plaint in suit for arrears of rent	,,	s.43.
Power, in suit for rent, to award—		
damages to plaintiff	,,	s.44.
compensation to defendant	,,	s.45.
Payment into Court by defendant, after action brought	,,	ss.48,49.
Mesne profits may be claimed in suit for recovery of land	,,	s.51.
Suits for ejectment or cancellation of lease	,,	ss.52to54.
In suit for arrears of rent, no warrant of arrest to be issued before judgment	,,	s.50.
Process not to issue simultaneously against person and property	,,	s.57.
Time within which process must issue after judgment	,,	s.58.
Power of Court to issue process free of charge	,,	s.105.
When judgment-creditor may apply for execution against immoveable property	,,	s.65.
Provisions as to sale of under-tenure in execution of decree for arrear of rent	,,	ss.59to64,66, 67.
Distress and sale for arrear of rent	,,	ss.68to101, Sch.C.
Bar to appeal from District Judge in certain cases	,,	s.102.
Limitation of applications for review of judgment	,,	s.103.

B.—UNDER OTHER ENACTMENTS.

Restrictions on enhancement of rent of istimrardars	Ben. Reg. 8, 1793,	ss.49,50.
Restrictions on enhancement of rent of dependant taluqdars; penalty for illegal enhancement	,,	s.51.
Power of proprietor to let lands; engagements to be specific, and in writing; abwabs, etc., to be consolidated; no new abwabs, etc., to be imposed; penalties	,,	ss.52to55.
Adjustment of instalments for payment of rent	,,	s.64.
Bar to engagements made contrary to Ben. Reg. 8, 1793	,,	s.65.

See also below IV, B.

LANDLORD AND TENANT—*contd.*

III.—BENGAL (EXCEPT SAMBALPUR DISTRICT).

A.—UNDER THE BENGAL TENANCY ACT, 1885.

1. Preliminary.

Act 8, 1885, extends to the whole of Bengal except Calcutta, Orissa, the Scheduled Districts and notified municipalities . . Act8,1885,s.1(*3*)(am.Ben. Act1,1907,s.3).

Power to extend Act 8, 1885, to Orissa ; certain enactments repealed there on such extension . . . . . ,, ss.1(*3*),2(*2*)..

Definitions . . . . . ,, ss.3,5,20,41.. 47,76,160.. 161(ss.3,161am.. Ben.Act 1.1907,ss.4.51)..

2. Status of Tenants and General Rights, Powers and Obligations of Landlords and Tenants.

Classes of tenants . . . . . s.4.

Meaning of "tenure-holder" and "raiyat" . . s.5..

(1) Tenure-holder :

Restrictions on enhancement of rent of . . . . ,, ss.6to9.

,, ejectment of permanent tenure-holder . . ,, s.10.

Transfer and transmission of permanent tenure : Right to transfer and bequeath . . . . . ,, s.11..

Voluntary transfer to be registered ; fee and notice to be sent to landlord . . . . . ,, s.12(am.Ben.Act Act1,1907,s.5).

Transfer by sale in execution of decree other than decree for rent, or by foreclosure ; fee and notice to be sent to landlord . . . . . ,, s.13(am.Ben.Act1, 1907,s.6).

On succession, notice to be given to Collector and landlord's fee paid . . . . . ,, ss.15,16(am.Ben. Act1,1907,ss.6,7).

Payment of such fee to Registrar of Mutations . . Ben.Act3.1895.s.20..

Application of ss. 11 to 16 of Act 8, 1885, to shares . . Act8,1885,s.17.

Validation of transfers where landlord's fee not paid . . Ben.Act1.1903,ss.1,3..

Realization of landlord's fees . . . . . ,, s.2..

(2) Raiyat holding at rate fixed in perpetuity :

Restrictions on ejectment of . . . . . Act8,1885,s.18(*b*)..

Application of ss. 11 to 16 to transfer of, and succession to, holding of . . . . . ,, s.18(*a*).

Payment to Registrar of Mutations of landlord's fee under Ben. Act 8, 1885, s. 18 . . . . . Ben.Act3,1895,s.20..

(2*a*) Transfers of tenures and holdings :

Instruments in which landlord is not a party not to be evidence against him as to incidents of tenancy . . . . Act8,1885, s.18A. (ins. Ben.Act1, 1907,s.8).

Acceptance of landlord's fee not to operate as an admission as to incidents of tenancy, or as a consent to division of tenancy or distribution of rent . . . . . ,, s.18B (ins. Ben.Act1, 1907,s.8).

Forfeiture of landlord's fees to Government, when unclaimed for three years . . . . . ,, s.18C (ins. Ben.Act1, 1907,s.8).

(3) Occupancy-raiyat

Continuance of existing occupancy-rights . 19(*1*).

LANDLORD AND TENANT—*contd.*

III.—BENGAL (EXCEPT SAMBALPUR DISTRICT)—*contd.*

A.—UNDER THE BENGAL TENANCY ACT, 1885—*contd.*

2. Status of Tenants and General Rights, Powers and Obligations of Landlords and Tenants—*contd.*

(3) Occupancy-raiyat—*contd.*

Exclusion of municipalities from operation of Act 8, 1885, or inclusion of areas within Calcutta Municipality, not to affect prior rights or liabilities	Act 8, 1885, s. 19(2) (ins. Ben. Act 1, 1907, s. 9).
Settled raiyat; definition of	,, s. 20.
,, ,, to have occupancy-rights	,, s. 21.
Effect of acquisition of occupancy-right by landlord	,, s. 22 (am. Ben. Act 1, 1907, s. 10).
Rights of, as to use of land	,, s. 23.
Obligation of, to pay rent at fair rate	,, s. 24.
Restrictions on ejectment of	,, s. 25.
Devolution or extinction of occupancy-right on death of	,, s. 26.
Restrictions on enhancement of rent of	,, ss. 27 to 37.
Reduction of money-rent paid by	,, s. 38.
Price-lists: preparation, revision and publication of; reference to be made to, in proceedings for enhancement or reduction of rent on ground of rise or fall in prices	,, s. 39.
Commutation of rent payable in kind, etc.	,, s. 40 (am. Ben. Act 1, 1907, s. 11.
Period for which commuted rents are to remain unaltered	,, s. 40A (ins. Ben. Act 1, 1907, s. 12).
Ch. V (ss. 19 to 40A) not to apply to: (*a*) lands acquired under the Land Acquisition Act for the Government or a Local Authority or a Railway Company, or (*b*) Government lands in a cantonment, or (*c*) proprietors' private land held under lease	,, s. 116 (am. Ben. Act 1, 1907, s. 40).

(4) Non-occupancy raiyat:

Definition of	,, s. 41.
Initial rent of	,, s. 42.
Restrictions on enhancement of rent of	,, s. 43.
,, ejectment of	,, ss. 44, 46.
Meaning of "admitted to occupation"	,, s. 47.
Ch. VI (ss. 41 to 47) not to apply to— (*i*) lands acquired under the Land Acquisition Act for the Government or a Local Authority or a Railway Company or (*ii*) Government lands in a cantonment, or (*iii*) proprietors' private land held under lease, or	,, s. 116 (am. Ben. Act 1, 1907, s. 40).
(*iv*) raiyats holding land under the custom of utbandi	,, s. 180(2).

(5) Under-raiyat:

Limit of rent recoverable from	s. 48.
Restrictions on ejectment of	s. 49.

LANDLORD AND TENANT—*contd.*

III.—BENGAL (EXCEPT SAMBALPUR DISTRICT)—*contd.*

A.—UNDER THE BENGAL TENANCY ACT, 1885—*contd.*

3. Rent.

Rules and presumptions as to fixity of rent; exception	Act 8, 1885,	ss. 50, 115.
Presumption as to amount of	,,	s. 51.
Alteration of, on alienation in area	,,	s. 52 (Ben. Act I, 1907, s. 13).
Payment of, in instalments	,,	s. 53.
Time and place for payment of	,,	s. 54.
Appropriation of payments of	,,	s. 55.
Receipts and accounts:		
Landlord to give receipt and retain counterfoil	,,	s. 56, Sch. II.
Presumption of full payment when receipt does not contain prescribed particulars	,,	s. 56 (4).
Tenant entitled to *full discharge or statement* of account at close of year; landlord to retain counterfoil	,,	s. 57, Sch. II.
Penalty for withholding receipt or statement of account or failing *to retain counterpart*; compensation; appeal; procuring evidence	,,	s. 58 (am. Ben. Act I, 1907, s. 14).
Forms of, to be kept for sale	,,	s. 59.
Effect of receipt given by proprietor, manager or mortgagee *registered under* Ben. Act 7, 1876	,,	s. 60.
Deposit of rent:		
Application to deposit rent in Court	,,	s. 61.
Receipt given by Court to be a valid acquittance	,,	s. 62.
Notification of receipt of deposit	,,	s. 63.
Payment or refund of deposit by Court	,,	s. 64.
Bar to suits against Government	,,	s. 64 (4).
Produce-rents:		
Division or appraisement of produce:		
Power to order officer to make; order under s. 69 (3) no bar to execution	,,	s. 69 (am. Ben. Act I, 1907, s. 16).
Procedure for, where officer appointed	,,	s. 70.
Rights and liabilities *as to possession of crop*	,,	s. 71.
Change of landlord or tenant:		
Liability for rent on change of landlord	,,	s. 72.
,, ,, ,, after transfer of occupancy-holding	,,	s. 73.
Illegal cesses, etc.:		
Prohibition of abwab and other cesses levied in addition to rent	,,	s. 74.
Penalty for exaction by landlord of sum in excess of rent or interest payable	,,	s. 75 (am. Ben. Act I, 1907, s. 17).
In temporarily-settled districts:		
Enhancement of rent on expiration of settlement	,,	s. 191.
Alteration of rent in case of new assessment of land-revenue	,,	s. 192 (am. Ben. Act I, 1907, s. 60).
Arrears of:		
Rent when deemed to be in arrear	,,	s. 54 (3).

LANDLORD AND TENANT—*contd.*

III.—BENGAL (EXCEPT SAMBALPUR DISTRICT)—*contd.*

A.—UNDER THE BENGAL TENANCY ACT, 1885—*contd.*

3. Rent—*contd.*

Arrears of—*contd.*	
Permanent tenure-holder, raiyat at fixed rates and occupancy-raiyat not liable to ejectment for arrear, but tenure or holding liable to sale; rent a first charge on tenure or holding	Act 8, 1885, s.65.
Ejectment of other tenants for arrear	,, s.66.
Interest on	,, s.67(am.Ben. Act 1, 1907, s.15).
Power to award damages on rent withheld without reasonable cause or when defendant improperly used	,, s.68.
Distraint:	
Cases in which application may be made to Civil Court for distraint; products which may be distrained	,, s.121.
Form of application for; procedure on receipt of application	,, ss.122,123.
Execution of order for	,, ss.124,125.
Right to reap, etc., produce	,, s.126.
Sale of property	,, ss.127-135.
Procedure where demand is paid before sale; deduction from rent where under-tenant pays	,, ss.136,137.
Conflict of rights of superior and inferior landlords	,, s.138.
Procedure where property distrained is under attachment	,, s.139.
Appeals barred, but suit may be brought for compensation for wrongful distraint	,, s.140.
Power of Local Government to authorise distraint without application to Civil Court; procedure in making such distraints	,, s.141.
Power of High Court to make rules of procedure	,, s.142.
Sale under decree for recovery of:	
Passing of tenure or holding sold in execution of decree	Acts.158B(ins.Ben. Act 1, 1907, s.50).
General powers of purchaser as to avoidance of incumbrances; definition of "protected interests," "incumbrance," "registered and notified incumbrance" "arrears" and "arrears of rent"	,, ss.159to161(s. 161am.Ben.Act 1,1907,s.51).
Application for sale; order of attachment and proclamation of sale	,, ss.162,163.
Sale of tenure or holding—	
subject to registered and notified incumbrances	,, ss.164,168(s.168 am.Ben.Act1, 1907,s.52).
with power to avoid all incumbrances	,, ss.165,166.
Incumbrances; procedure for annulling	,, s.167.
,, registration of	,, s.175.
,, notification of, by registering-officer to landlord	,, s.176.
,, power to create, not extended by Act	,, s.177.
Disposal of sale-proceeds	,, s.169(am.Ben. Act 1, 1907, s.53).

LANDLORD AND TENANT—*contd.*

III.—BENGAL (EXCEPT SAMBALPUR DISTRICT)—*contd.*

A.—UNDER THE BENGAL TENANCY ACT, 1885—*contd.*

3. Rent—*contd.*

Distraint—*contd.*

Release from attachment, on payment or confession of satisfaction . . . . . } Act 8, 1885, s. 170 (am. Ben. Act 1, 1907, s. 54).

Payments into Court to prevent sale: amount paid when deemed a mortgage-debt; deduction of amount from rent . } „ ss. 171, 172.

Decree-holder may bid at sale; judgment-debtor may not . „ s. 173.

Application by judgment-debtor to set aside sale . . . „ s. 174 (am. Ben. Act 1, 1907, s. 55).

Recovery of, under the certificate procedure . . . . „ s. 158A (ins. Ben. Act 1, 1907, s. 49).

See also above, 2, *and below*, 4. 5.

4. Records, and Settlement of Rents.

Record-of-rights and settlement of rents:

Record-of-rights—

Power to order survey and preparation of record-of-rights; particulars to be recorded . . . . . } „ ss. 101, 102 (am. Ben. Act 1, 1907, ss. 19, 20).

Power to order survey and preparation of record-of-rights as to water . . . . . } „ s. 102A (ins. Ben. Act 1, 1907, s. 21).

Power of Revenue-officer to record particulars or application of proprietor, tenure-holder or large proportion of raiyats . } „ s. 103.

Preliminary publication, amendment and final publication of record . . . . . } „ s. 103A (ins. Ben. Act 1, 1907, s. 21).

Certificate of and presumption as to final publication: notification of final publication; presumption as to correctness of record . . . . . } „ s. 103B (am. Ben. Act 1, 1907, s. 22).

Settlement of rents, preparation of settlement rent-roll, and disposal of objections, in cases when a settlement of land-revenue *is being or is about to be made*:

Settlement of rents and preparation of settlement rent-roll: when to be undertaken; procedure . . . . } „ ss. 104, 104A (s. 104am. Ben. Act 1, 1907, s. 24).

Table of rates; preparation, contents, publication, amendment, confirmation, effect and application of . . . } „ ss. 104A(*c*). 104B to 104D.

Settlement Rent Roll: preliminary publication, amendment and confirmation of. . . } „ ss. 104E, 104F.

„ „ „ incorporation of, with record-of-rights . . . . . } „ s. 104F(*3*)

Appeal to, and revision by, superior Revenue-authorities . „ s. 104G.

Jurisdiction of Civil Courts in matters relating to rent . . } „ s. 104H (am. Ben. Act 1, 1907, s. 25).

Presumptions as to rents settled under ss. 104A to 104G . „ s. 104J.

Settlement of rents and decision of disputes in cases when a settlement of land-revenue *is not being made or is not about to be made*:

Settlement of rents when to be undertaken; decision of questions arising; institution of suit; procedure. } „ ss. 105 to 107 (ss. 105, 106, 107am., s. 105A. ins. Ben. Act 1, 1907, ss. 24, 26 to 28).

„ „ revision by Revenue-officer . . . . } „ s. 108 (am. Ben. Act 1, 1907, s. 29).

LANDLORD AND TENANT—*contd.*

III.—BENGAL (EXCEPT SAMBALPUR DISTRICT)—*contd.*

A.—UNDER THE BENGAL TENANCY ACT, 1885—*contd.*

4. Records, and Settlement of Rents—*contd.*

Record-of-rights and settlement of rents—*contd.*

Record-of-rights—*contd.*

Settlement of rents and decision of disputes in case when a settlement of land-revenue *is not being made or is not about to be made*—contd.

Settlement of rents; bar to jurisdiction of Civil Courts	Act 8, 1885, s. 109 (am. Ben. Act 1, 1907, s. 31).
„ „ appeals from decisions of Revenue-officers	„ s. 109A (am. Ben. Act 1, 1907, s. 32).
Correction by Revenue-officer of mistakes in record-of-rights	„ s. 108A (ins. Ben. Act 1, 1907, s. 30).
Power of Revenue-officer to presume that agreements or compromises are lawful	„ s. 109B (ins. Ben. Act 1, 1907, s. 33).
Power of Revenue-officer to settle rents on agreement	„ s. 109C (ins. Ben. Act 1, 1907, s. 33).
Note of decisions on record	„ s. 109D (ins. Ben. Act 1, 1907, s. 33).
Date from which settled record takes effect	„ s. 110.
Stay of proceedings in Civil Courts during preparation of record-of-rights	„ s. 111 (am. Ben. Act 1, 1907, s. 34).
Limitation of jurisdiction of Civil Courts in matters, other than rent, relating to record-of-right	„ s. 111A.
Stay of suits in which certain issues arise	„ s. 111B (ins. Ben. Act 1, 1907, s. 35).
Power to authorize special settlement in special cases	„ s. 112 (am. Ben. Act 1, 1907, s. 36).
Period for which rents as settled are to remain unaltered	„ s. 113.
Payment of landlords, tenants and occupants of expenses of proceedings	„ s. 114 (am. Ben. Act 1, 1907, s. 37).
Alternative procedure for recovering expenses; recovery from successors in interest; power to make rules as to distribution of expenses	Ben. Act 3, 1895, ss. 28 to 32, 36(*c*).
Validation of records published under Act 8, 1885, s. 105, before commencement of Ben. Act 3, 1898	Ben. Act 3, 1898, s. 8.
Effect of settlements of rent and decisions by Revenue-officers made before commencement of Ben. Act 3, 1898	„ s. 9.
Demarcation of village-boundaries	Act 5, 1885, s. 115A (ins. Ben. Act 1, 1907, s. 38).
Record of proprietor's private lands:	
Power to order survey and record of proprietor's private lands	„ s. 117.
Power to ascertain and record whether land is proprietor's private land, on application of proprietor or tenant	„ s. 118.
Application of ss. 103A, 103B, 106 to 109 and 109A	„ s. 119
Rules for determining what land is proprietor's private land	„ s. 120 (am. Ben. Act 1, 1907, s. 41).

5. Miscellaneous Provisions.

Presumption as to conditions under which tenant holds	„ s. 51.
Power of Court, on application, to determine incidents of tenancy	„ s. 158 (am. Ben. Act 1, 1907, s. 48).

LANDLORD AND TENANT—*contd.*

III.—BENGAL (EXCEPT SAMBALPUR DISTRICT)—*contd.*

A.—UNDER THE BENGAL TENANCY ACT, 1885—*contd.*

5. Miscellaneous Provisions—*contd.*

Limitation in suits, appeals and applications; Indian Limitation Act, how far applicable	Act 8, 1885, ss. 184, 185, Sch. III (Sch. III, am. Ben. Act 1, 1907, s. 61).	
Improvements:		
Definition of	,,	s. 76.
Right to make	,,	ss. 77 to 79.
By landlord; registration of	,,	s. 80.
,, enhancement for	,,	s. 33.
Record of evidence as to, on application	,,	s. 81.
By raiyat; compensation for	,,	ss. 82, 83.
Compulsory acquisition of tenant's holding by landlord for purposes of building, etc.	,,	s. 84.
Sub-letting; restrictions on	,,	s. 85.
Surrender of holding	,,	s. 86.
Abandonment of holding	,,	s. 87.
Sub-division of tenure or holding, or distribution of rent, not binding on landlord without his consent	,,	s. 88 (am. Ben. Act 1, 1907, s. 18).
Acceptance of landlord's fee does not operate as a consent under s. 88	,,	s. 18B(*b*) (ins. Ben. Act 1, 1907, s. 8).
Ejectment to be in execution of decree only	,,	s. 89.
Measurements:		
Landlord's right to measure land	,,	s. 90.
Power for Court to order tenant to attend and point out boundaries	,,	s. 91.
Standard of measurement	,,	s. 92.
Managers:		
Compulsory appointment of common manager by or for co-owners	,,	ss. 93 to 95.
Power of Local Government to nominate person to be such manager for all estates and tenures in a local area	,,	s. 96.
Remuneration, duties, powers and removal of such manager; power of High Court to make rules as to powers and duties	,,	ss. 98, 100.
Court of Wards may be appointed such manager; application of Ben. Act 9, 1879	,,	ss. 95, 97.
Power to restore management to co-owners	,,	s. 99.
Contract and custom:		
Restrictions on exclusion of Act by agreement	,,	s. 178 (am. Ben. Act 1, 1907, s. 56).
Saving of right of proprietor or of holder of permanent tenure in permanently settled area to grant permanent mukarrari lease on any terms agreed on	,,	s. 179.
Restriction on aquisition of right of occupancy in utbandi, chur or dearah lands; pending such acquisition, rent to be according to agreement, power of Collector to declare that land has ceased to be chur or dearah	,,	s. 180.
Act not to affect incidents or ghatwali or other service-tenures.	,,	s. 181.

LANDLORD AND TENANT—*contd.*

III.—BENGAL (EXCEPT SAMBALPUR DISTRICT)—*contd.*

A.—UNDER THE BENGAL TENANCY ACT, 1885—*contd.*

5. Miscellaneous Provisions—*concld.*

Contract and custom—*contd.*

Homestead : incidents of tenancy of, to be regulated by custom	Act 8, 1885,	s. 182.
General saving of customs not inconsistent with Act	,,	s.183.
Power of Court to fix fair rent as alternative to ejectment of trespasser	,,	s.157.
Provisions as to suits for recovery of arrears of rent to apply to suits for recovery of sums payable for right of pasturage, forest-rights, rights over fisheries, etc.	,,	s.193.
Tenant not enabled by Act to violate conditions binding on landlord	,,	s.194.

6. Jurisdiction and Procedure.

What Civil Court has jurisdiction in suits and applications	,,	s.144.
Power of High Court to modify Code of Civil Procedure in its application to suits between landlord and tenant	,,	s.143.
Naibs or gumashtas to be recognised agents of landlord	,,	s.145.
Special register of suits	,,	s.146.
Successive rent-suits	,,	s.147.
Compromise of suits between landlord and tenant	,,	s.147A(ins.Ben. Act1,1907,s.42).
Civil Court to have regard to entries in record-of-rights	,,	s.147B(ins.Ben. Act1,1907,s.42).
Procedure in rent-suits	,,	s.148(am.Ben. Act1,1907,s.43).
Suit for arrears of rent by co-sharer landlords	,,	s.148A(ins.Ben. Act1,1907,s.44).
Payment into Court of money admitted to be due	,,	ss.149to152(ss. 149,150,rep.pt.Ben.Act1, 1907,s.45).
Appeals in rent-suits	,,	s.153(am.Ben. Act1,1907,s.46).
Deposit on application to set aside *ex parte* decree or for review	,,	s.153A(ins.Ben. Act1,1907,s.47).
Date from which decree for enhancement takes effect	,,	s.154.
Relief against forfeitures	,,	s.155.
Rights of ejected tenant in respect of crops and land prepared for sowing	,,	s.156.
Power of Court to fix fair rent as alternative to ejectment of trespasser	,,	s.157.

7. Supplemental.

Penalties for illegal interference with produce	,,	s.186.
Damages for denial of landlord's title	,,	s.186A(ins.Ben. Act1,1907,s.57).
Power for landlord to act through agent	,,	s.187.
Joint landlords to act collectively or by common agent	,,	s.188.

LANDLORD AND TENANT—*contd.*

III.—BENGAL (EXCEPT SAMBALPUR DISTRICT)—*contd.*

A.—UNDER THE BENGAL TENANCY ACT, 1885—*contd.*

7. Supplemental—*contd.*

Procedure in suit by joint landlords	Act 8, 1885, s. 188A (ins. Ben. Act 1, 1907, s. 58).
Power of Local Government to make rules as to procedure, powers of officers, forms, service of notices and landlord's fees	„ s. 189 (am Ben. Act 1, 1907, s. 59).
Procedure for making, publication and confirmation of rules	„ s. 190.
Saving of special enactments	„ s. 195.
„ power for Bengal Council to amend Act 8, 1885	„ s. 196.

B.—UNDER OTHER ENACTMENTS.

Restrictions on enhancement of rent of istimrardars	Ben. Reg. 8, 1793, ss. 49, 50.
Restrictions on enhancement of rent of dependant taluqdars; penalty for illegal enhancement	„ s. 51.
Power of proprietor to let lands; engagements to be specific, and in writing; abwabs, etc., to be consolidated; no new abwabs, etc., to be imposed; penalties	„ ss. 52 to 55.
Adjustment of instalments for payment of rent	„ s. 64.
Bar to engagements made contrary to Ben. Reg. 8, 1793	„ s. 65.
Proprietors of land empowered to grant leases, but not beyond the term of their own interest or in excess of their authority	Ben. Reg. 5, 1812, ss. 2, 3. Ben. Reg. 18, 1812, s. 2.
Prohibition of arbitrary or indefinite cesses	Ben. Reg. 5, 1812, s. 3.
Bar to annulment of leases on attachment or sale	„ s. 4.
Appointment and removal of managers of joint undivided estates	„ ss. 26, 27.
Leases not affected by division, transfer, etc., of estate	Ben. Reg. 18, 1812, s. 3(2).
Ben. Reg. 8, 1793, ss. 51 to 55, 64, 65, Ben. Reg. 5, 1812, ss. 2, 3, 4, 26, 27, and Ben. Reg. 18, 1812, ss. 2, 3—	
repealed throughout Bengal, except in territories to which Act 8, 1885, does not by its own operation extend	Act 8, 1885, s. 2(*1*).
(so far as inconsistent with Act 8, 1885) to be repealed in Orissa on extension of Act 8, 1885, thereto	„ s. 2(*2*).
Penalty for falsification of accounts by native agents of proprietors or farmers	Ben. Reg. 12, 1817, ss. 27, 30.
General provisions	[1] Act 10, 1859. [1] Ben. Act 6, 1862.
Appeals	[1] Ben. Act 4, 1867.
Fixing of rents in settlement-proceedings	[1] Ben. Act 8, 1879.
Act 10 of 1859 and Ben. Acts 6 of 1862, 4 of 1867 and 8 of 1879, repealed throughout Bengal, except in territories to which Act 8, 1885, does not of its own operation extend	Act 8, 1885, s. 2(*1*).
Parts of Act 10 of 1859 and Ben. Acts 6 of 1862, 4 of 1867 and 8 of 1879, which are inconsistent with Act 8, 1885, repealed in Orissa on extension of latter Act thereto	Act 8, 1885, s. 2(*2*).

[1] Act 10 of 1859 has been largely superseded in Orissa by the extension thereto of parts of Act 8 of 1885. Act 10 of 1859 and Ben. Acts 6 of 1862, 4 of 1867 and 8 of 1879 are now in force to so small an extent that it is considered unnecessary to index them in detail.

LANDLORD AND TENANT—*contd.*

III.—BENGAL (EXCEPT SAMBALPUR DISTRICT)—*contd.*

B.—UNDER OTHER ENACTMENTS—*contd.*

Act 10 of 1859, and Ben. Acts 6 of 1862 and 4 of 1867, repealed in the Scheduled District of Chota Nagpur, except the district of Manbhum and the Tributary Mahals	Ben.Act1,1879,ss.1,3, Sch.A.	
Ben. Acts 1 of 1879, 8 of 1879, 4 of 1897, 5 of 1903 and 5 of 1905 repealed in Chota Nagpur Division except Scheduled District of Manbhum	Ben.Act6,1908,s.2(*1*).	
Act 10 of 1859 and Ben. Acts 6 of 1862, 4 of 1867 and 8 of 1879 to be repealed in Manbhum district (wholly or in part as the case may be) on extension of Ben. Act 1, 1908, thereto	,,	s.2(*2*).
Patni taluq:		
Definition	Ben.Reg.8,1819,s.1.	
Declared valid, transferable and answerable for debt	,,	s.3(*1*).
Not voidable for arrears; sale for arrears	,,	s.3(*3*).
Right to underlet	,,	ss.3(*2*), 4.
On transfer of, landlord entitled to receive fee and to demand security from transferee	,,	ss.5to7.
Validation of leases fixing rent in perpetuity or for more than ten years; saving of liability to cancellation on sale of estate for arrears of revenue	,,	s.2.
Periodical sales of tenures at instance of zamindar, where the right to sell for arrears of rent was reserved by the lease creating the tenure:		
Zamindar's right to apply for sale	,,	s.8.
Procedure for conducting sale	Ben.Reg.8,1819,ss.9,10.	
Deposits made under Ben. Reg. 8, 1819, s. 9: if forfeited, to be applied to defray expenses of sale, balance being credited to Government	Act25,1850.	
Purchaser bound by agreement under ss. 4, 5 of Ancient Monuments Preservation Act, 1904, executed by holder of tenure for the time being	Act7,1904,s.8.	
Avoidance of incumbrances	Ben.Reg.8,1819,ss.11,12.	
Staying of sale by payment into Court; sale not to be stayed unless payment made	,,	ss.13,14.
Delivery to purchaser of certificate of sale and order for possession	,,	s.15(*1*).
Procedure in case of opposition to purchaser in obtaining possession	,,	s.15(*2*),(*3*).
Disposal of proceeds of sale	,,	s.17.
Ben. Reg. 8, 1819, applied to other sales for arrears of rent at instance of zamindar; notice to be given of sale	Ben.Reg.1,1820.	
Sales for arrears of rent, or suits relating to arrears of rent:		
By whom to be conducted or heard, where lands situate in different Collectorates	Act6,1853,ss.1to3.	
Powers of independent Deputy Collector in reference to	,,	ss.4to7.
Publication of notices	,,	s.8.
Sale of patni taluqs and other under-tenures for arrears of rent:		
Sale to be conducted by Collector; powers of Judge withdrawn	Ben.Act8,1865,s.3.	
Procedure for conducting sale in execution of decree	,,	ss.4,5.

LANDLORD AND TENANT—*contd.*

III.—BENGAL (EXCEPT SAMBALPUR DISTRICT)—*contd.*

B.—UNDER OTHER ENACTMENTS—*contd.*

Sale of patni taluqs and other under-tenures for arrears of rent —*contd.*

Sale to be stopped on deposit of payment; application of Ben. Reg. 8, 1819, s. 13 . . . . . Ben.Act8,1865,s.6.

Sale to be to highest bidder . . . . . ,, s.7.

Payment of purchase-money; re-sale on default . . ,, ss.8to10.

Certificate and possession to be given to purchaser . . ,, s.11,Sch.

Disposal of proceeds of sale . . . . . ,, s.12.

Appeal and revision . . . . . ,, ss.13to15.

Avoidance of incumbrances . . . . . ,, s.16.

Purchaser to apply to landholder for registration and to execute kabuliyat . . . . . ,, s.17.

Sections 3 to 11, 16 and 17 of Ben. Act 8, 1865, applied to sales in Chota Nagpur . . . . . Ben.Act6,1908,s.208.

Position of tenants when estate sold for arrears of revenue under Act 11, 1859. *See* LAND-REVENUE, III, 4.

Registration of interests of landlord and tenant. *See* REGISTRATION OF LAND, I.

Ghatwali Mahals, Beerbhoom:

Ghatwals not liable to enhancement of rent so long as they punctually pay same and fulfil other obligations of their tenure . . . . . Ben.Reg.29,1814,s.2.

Rents to be paid to public officer; difference between rent and Government revenue to be made over to zamindar of Beerbhoom . . . . . ,, ss.3,4.

Sale, etc., of tenure for arrears . . . . . ,, s.5.

Power of ghatwals to grant leases . . . . . Act5,1859.

Chota Nagpur:

Preliminary:

Ben. Act 6, 1908, extends to Chota Nagpur Division except the district of Manbhum and notified municipalities: power to extend Act to Manbhum . . . . . Ben.Act6,1908,s.1.

Definitions . . . . . ,, ss.3-8,17,58, 118.

Status of tenants and general rights, power and obligations of landlords and tenants:

Classes of tenants: meaning of 'tenure-holder,' 'raiyat' and 'mumdari khuntkathidar' . . . . . ,, ss.4,8.

(1) Tenure-holder:

Certain tenure-holders and bhuinhars not liable to enhancement of rent . . . . . ,, ss.9,10.

Transfer by succession, inheritance, sale, gift, etc., of tenure or part, to be registered in landlord's office: landlord's fee; landlord to allow registration; procedure on refusal of landlord: sub-division not binding on landlord unless made with written consent . . . . . ,, ss.11,12,13.

Resumable tenure; resumption of; annulment of incumbrances on; savings . . . . . ,, ss.14,15.

Ejectment of, for arrear of rent in certain cases . . . ,, s.59.

LANDLORD AND TENANT—*contd.*

III.—BENGAL (EXCEPT SAMBALPUR DISTRICT)—*contd.*

B.—UNDER OTHER ENACTMENTS—*contd.*

Chota Nagpur—*contd.*

Status of tenants and general rights, power and obligations of landlords and tenants—*contd.*

Classes of tenants—*concld.*

(2) Occupancy-raiyats :

Continuance of existing occupancy-rights	Ben. Act 6, 1908,	s.16.
Settled raiyat, meaning of; to have occupancy-right; bhuinhars and mumdari khuntkathidars to be deemed settled raiyats in certain cases	,,	ss.17,18,19.
Acquisition of occupancy-rights in land converted into korkar	,,	s.67.
Effect of acquisition of occupancy-right by landlord	,,	s.20.
Rights of, as to use of land	,,	s.21.
Obligation of, to pay fair rent; presumption that rent paid by, is fair	,,	ss.24,25.
Transfer of occupancy-holdings and bhuinhari tenures	,,	s.49.
Restrictions on ejectment of	,,	s.22.
Devolution of occupancy-right on death of	,,	s.23.
Enhancement of rent of; procedure: power to direct gradual enhancement	,,	ss.26,30,62.
,, ,, made prior to Act, confirmed in certain cases	,,	s.26.
Increase of rent of, in respect of excess area	,,	ss.31-33.
Reduction of rent	,,	s.35.
Bar to further enhancement or reduction of rent	,,	s.36.
Provisions of Act to apply to raiyats having khuntkathi rights: modifications	,,	s.37.
Bar to acquisition of occupancy-rights in landlord's privileged lands and certain other lands	,,	s.43.
,, ,, ,, ,, ,, by transferee of certain bhuinhari lands	,,	s.48(*b*).

(3) Non-occupancy-raiyats :

Rent and conditions of tenancy of, to be governed by contract	,,	s.38.
Effect of acquisition of right by landlord	,,	s.39.
Enhancement of rent of	,,	s.40.
Ejectment of	,,	ss.41,42.
Provisions of sections 38-42 not to apply to landlord's privileged lands and certain other lands	,,	s.43.

(4) Mundari khuntkathidars :

modifications of Act in application to	,,	s.239.
tenancy of; restrictions on transfer and execution-sale of	,,	ss.240,241.
ejectment of person obtaining possession under unlawful transfer of	,,	s.242.
enhancement of rent of	,,	s.243.
arrears of rent due from, recovered only by certificate procedure in certain cases	,,	ss.244,245,247, 248.
,, ,, ,, how recovered in other cases	,,	ss.246,247,248.
one of several joint paying arrears of rent due from co-tenants entitled to recover under certificate procedure in certain cases	,,	s 249.

LANDLORD AND TENANT—*contd.*

III.—BENGAL—*contd.*

B.—UNDER OTHER ENACTMENTS—*contd.*

General rights, powers and obligations of landlord and tenant:

Right of raiyats to receive a lease: contents of lease . . Ben. Act 6, 1908, s.44.
Restrictions on raiyat's right to transfer holding . . . „ s.46.
Restriction on sale of raiyats' right in holding in execution of decree . . . „ s.47.
Restrictions as to transfer and execution sale to apply to certain bhuinhari lands . . . „ s.48.
Transfer of occupancy-holdings and bhuinhari tenures . . „ s.49.
Landlord's right to counterpart of lease . . . . „ s.45.
Landlord's right to acquire land for certain purposes . . „ s.50.
Tenant paying rent in good faith and without notice of transfer not liable to transferee of landlord . . . . „ s.51.

Rent:

Payable ordinarily—quarterly instalments . . . . „ s.52.
Method of payment of; tenants entitled to receipt in prescribed form; complaint on refusal to grant receipt; compensation for false or vexatious complaint . . . „ ss.53,54.
Deposit of, in Court: procedure on, and effect of . . . „ ss.55,56,57.
Illegal exaction of rent, etc., penalty for . . . . „ s.63.
Commutation of rent in kind, payable by tenure-holder or occupancy-raiyat; commuted rent to remain unaltered for fifteen years except in certain cases . . . . . „ ss.61,62.
of occupancy-holding entered in record-of-rights not to be altered for certain periods . . . . . „ s.94.
Arrears of rent: defined: to be first charge on tenancy . . „ s.58,60.
ejectment of certain tenure-holders for . . . . „ s.59.
relief against foreiture for non-payment of . . . . „ s.178(*2*)(*3*).
sale in execution of decree for:
sale of tenure or holding; application of ss. 12 to 15 of Ben. Act 8, 1865 . . . . . „ ss.208,209.
sale of other property . . . . . „ s.210.
recovery by certificate procedure in case of certain mumdari khuntkathidari tenancies . . . . . „ s.244.
paid by one of several joint mumdari khuntkathidars recoverable from co-tenants by certificate procedure in certain cases . . . . . „ s.249.

Record-of-rights and settlement of rents—

Power to order survey and preparation of record-of-rights: suspension of suits and civil proceedings for certain purposes ss.80,91.
Particulars to be recorded . . . . . „ s.81.
Survey and record-of-rights regarding use or passage of water „ s.82.
Publication, preliminary and final: presumption as to final publication and corrections of record . . . . „ ss.83,84.
Settlement of fair rents; decision of issues arising therein; suit before Revenue-officer and procedure therein; provisions as to appeal and revision; settled rents and decisions (including decisions as to predial conditions) to be entered in record-of-rights; correction of mistakes in record; settlements when to take effect . . . . . „ ss.85-90, 93 (*2*),97,112.

LANDLORD AND TENANT—*contd.*

III.—BENGAL—*contd.*

B—UNDER OTHER ENACTMENTS—*contd.*

Record-of-rights and settlement of rents—*contd.*

Power of Local Government to order revision of record-of-rights and new settlement of rents : enhancement of rent	Ben. Act 6, 1908,	ss.98, 99.
Bar to jurisdiction of Courts in matters relating to record-of-rights	,,	s.92.
Suspension of suits or civil proceedings relating to certain issues for six months on final publication of record-of-rights	,,	s.93.
Recorded rent to remain unaltered for certain periods except in certain cases	,,	s.94.
Power of Revenue-officer to give effect to agreement or compromise	,,	s.96.
Expenses of preparation of record-of-rights, etc., how defrayed	,,	s.95.
Special provisions in respect of mumdari khuntkathidari tenancies	,,	ss.250 to 256.
Record of landlord's privileged lands :		
"landlord's privileged lands" defined	,,	s.118.
lands presumed not to be	,,	s.123.
power to direct survey and record of	,,	s.119.
power to record on application of landlord or tenant	,,	s.121.
Procedure : application of sections 83, 84, 87, 88, 90, 95, 96 : appeal	,,	ss.120, 122, 126.
Certain lands not to be recorded as	,,	s.124.
Unrecorded land not to be deemed to be	,,	s.125.
Record-of-rights and obligations of raiyats having khuntkathi rights and others :		
power to direct preparation of	,,	s.127.
Sections 81, 83, 84 (*1*), (*2*), 89 to 96, and where settlement of rents is directed, sections 85 (*3*), (*4*), (*5*), 86, 89, 95 to 97, to apply	,,	s.128.
Notice of entries : decision of disputes : appeal ; entry to be conclusive evidence	,,	ss.129, 130, 131, 132.
Origin and nature of tenancy and real status of tenant to be regarded in preparation of	,,	s.133.
Unrecorded land not to be regarded as khuntkathi	,,	s.134.
Jurisdiction and procedure :		
Certain suits and applications to be cognizable only by the Court of the Deputy Commissioner	,,	s.139.
Deputy Commissioner, place for holding Court by and for instituting proceedings before ; jurisdiction of : withdrawal of suits by	,,	ss.135 to 138.
Collective suits or applications by or against several tenants	,,	ss.140, 141.
Suit for rent by co-sharer landlord	,,	s.142.
Procedure in suits before Deputy Commissioner	,,	ss.143 to 170.
Local inquiry in suit or proceeding before Deputy Commissioner	,,	s.171.
Power to set aside judgment or order passed *ex parte* or on default	,,	s.227.
Payment into Court and effect thereof	,,	ss.172 to 175.

LANDLORD AND TENANT—*contd.*

III.—BENGAL—*contd.*

B.—UNDER OTHER ENACTMENTS—*contd.*

Jurisdiction and procedure—*contd.*

Power to award in rent-suit damages to plaintiff for improper neglect or refusal to pay rent	Ben. Act 6, 1908,	s.175.
Compensation to defendant where no reasonable or probable cause for suit against him	,,	s.176.
Procedure in rent-suit where third party claims the rent sued for	,,	s.177.
Suit for ejectment or cancellation of lease of non-occupancy-raiyat for arrears of rent	,,	s.178.
Decree for grant of lease or delivery of counterpart, effect of: power of Deputy Commissioner to grant lease on default by landlord	,,	ss.179,180.
Execution of decrees and orders; application for: issue of process	,,	ss.181 to 185, 188 to 190.
Properties exempt from attachment and sale	,,	s.186.
Procedure in execution by arrest or attachment of moveables	,,	ss.187,191 to 193.
Execution of decree for ejectment or re-instatement of tenant or for cancelment of lease	,,	ss.194 to 195.
,, for share of rent in favour of co-sharer landlord: restriction on sale of tenure or holding	,,	ss.196,197.
Execution against immoveable property when allowed	,,	s.198.
Sale of moveable property: procedure; claim by third party; effect of irregularity in sale; application of proceeds	,,	ss.199 to 207.
Sale of tenure or holding in execution of decree for arrear of rent; restrictions on; rights of purchaser; application of proceeds of sale; claim by third party	,,	ss.208,209,211.
Setting aside of sale in execution of decree: restriction on suit for	,,	ss.212 to 214.
Appeals to Deputy Commissioner or Commissioner in certain cases; bar to further appeal; revision by Board	,,	ss.215 to 223, 228, 229.
,, to Judicial Commissioner or High Court	,,	ss.224 to 226, 228,229.
No appeal in certain cases	,,	ss.218(*f*), 227,228.
Limitation: Indian Limitation Act to apply where not inconsistent with Ben. Act 6, 1908	,,	s.230.
,, special rules of	,,	ss.231,238.
,, ,, ,, in appeals	,,	ss.216,226.
No suit for rent in respect of mumdari khuntkathidari tenancies in certain cases	,,	s.244.
Non-joinder of co-tenants when no defence to suit for rent in respect of mumdari khuntkathidari tenancies	,,	s.247.
Transfer of suit, application or proceeding	,,	s.269.

Custom and contract:

Saving of custom	,,	s.76.
Incidents of tenancy of homestead land held by raiyat as separate tenancy, to be regulated by local custom and usage	,,	s.78.

LANDLORD AND TENANT—*contd.*

III.—BENGAL—*contd.*

B.—UNDER OTHER ENACTMENTS—*contd.*

Custom and contract—*contd.*
Saving as to service tenures and holdings . . . . . Ben. Act, 6 1908, s. 77.
Restrictions on exclusion of Act by agreement . . . . „ s. 79.
Prædial conditions :
Prohibition against new . . . . . „ s. 101.
Decision as to what payments in kind are . . . . . „ s. 113.
When original terms of tenancy cannot be ascertained to be regulated by local custom and usage ; effect of continuous compliance with conditions for five years . . . . „ s. 102.
Value of, how determined ; limit to recovery of value of . . „ ss. 103-104.
Commutation of an application of landlord or tenant : expenses of . . . . . „ ss. 105, 115.
Record of and commutation of, under order of Local Government :
Preparation and publication of record : provision as to appeal and revision : procedure : expenses of . . . „ ss. 106, 111, 116.
Commencement and effect of commutation of . . . „ s. 114.
Saving of right to claim alteration of rent . . . . „ s. 117.
Miscellaneous :
Korkar, definition of ; conversion of land into ; consent of landlord when required for . . . . . „ ss. 3(xiii), 64, 66.
Ejectment ; no tenant to be ejected except in execution of decree or order . . . . . „ s. 68.
„ for forfeiture ; relief against . . . . . „ s. 69.
„ decree or order for, when to take effect . . „ s. 70.
„ unlawful, power to replace tenant in possession in case of . . . . . „ s. 71.
Surrender and abandonment . . . . . „ ss. 72, 73.
Lease in favour of tenant already in occupation with a view to continuance of occupation not to be deemed to admit him to occupation . . . . . „ s. 74.
Measurement of lands . . . . . „ s. 75.
Supplemental :
Joint landlords to act collectively or by common agent . . „ s. 257.
Bar to civil suit to vary, modify or set aside certain orders of Deputy Commissioner or Revenue-officer . . . . „ s. 258.
Service of process . . . . . „ ss. 259, 260.
Costs . . . . . „ ss. 261, 262.
Power to compel attendance of witnesses . . . . „ s. 263.
Power to make rules : publication and effect of . . . „ ss. 264 to 267.
Recovery of costs, interest, damages, etc., awarded under Act „ s. 268.
Control over Deputy Commissioners and Deputy Collectors . „ s. 279.
Bhuinhari and majhahas tenures in Chota Nagpur :
Definition of "bhuinhari," "majhahas" and "Special Commissioner" . . . . . Ben. Act 2, 1869, s. 1.
Appointment, and limits of jurisdiction of Special Commissioners . . . . . „ s. 2.

LANDLORD AND TENANT—*contd.*

III.—BENGAL—*contd.*

B.—UNDER OTHER ENACTMENTS—*contd.*

Bhuinhari and majhahas tenures in Chota Nagpur—*contd.*

Special Commissioner to ascertain titles and tenures of lands alleged to be bhuinhari or majhahas, and demarcate same . Ben.Act2,1869,s.3.

Special Commissioner to have powers of Collector making settlement of land-revenue . . . . . ,, s.4.

Special Commissioner to register—

lands ascertained to be bhuinhari or majhahas; conditions, services and rents to which such lands are ascertained to be subject, and . . . . . ,, s.5.

rights and privileges to be enjoyed in respect of such lands .

Special Commissioner to restore persons wrongfully dispossessed . . . . . ,, s.6.

Presumption as to conditions, services and rents . . . ,, s.7.

Lands not to be registered if occupation newly commenced within twenty years of passing of Act . . . . ,, s.8.

Commutation of conditions or services attached to bhuinhari lands other than payment of rent in money . . . ,, ss.9to13.

Appeal and revision . . . . . ,, ss.13to20,23.

Bar to jurisdiction of Civil Courts . . . . . ,, s.20.

Judgments, etc., of Civil Courts in certain cases not to be evidence in enquiry before Special Commissioner . . . ,, s.24.

Restriction on appearance of mukhtar or vakil before Special Commissioner . . . . . ,, s.21.

Power of Local Government to make rules and orders for regulating procedure, etc. . . . . ,, s.23.

Registers; confirmation and publication of . . . . . ,, s.25.

,, to be conclusive evidence . . . . . ,, s.26.

Santhál Parganas:

Ben. Regs. 18 of 1812, 29 of 1814, 8 of 1819 and 1 of 1820, Acts 25 of 1850, 6 of 1853, and 5 of 1859, and Ben. Act 8 of 1865 declared in force in Santhál Parganas . . . . Reg.3,1872,s.3.

Restriction on trial of suits by ordinary Courts until settlement made . . . . . ,, ss.5,5A(sub.Reg.3,1908,s.2).

Jurisdiction of officers appointed under Act 37, 1855, pending completion of settlement . . . . . Reg.3,1872,ss.5,5A (sub.Reg.3,1908,s.2),26.

Preparation of record-of-rights by Settlement-officer . . Reg.3,1872,ss.12to14(s.13 am.Reg.3,1908,s.5).

Power of Settlement-officer to modify rent payable by village-headman . . . . . Reg.3,1872,s.17.

Rules to be observed by Settlement-officer in deciding status, rights and claims of raiyats or occupiers, and settling rents . ,, ss.18,20,21.

Powers of Settlement-officer as to fixing, etc., instalments for payment of rent . . . . . ,, s.22.

Restrictions on transfer by raiyat of his right in whole or part of his holding . . . . . Reg.3,1872,s.27(sub.Reg.3, 1908,s.10).

Penalty for proprietor, headman, etc., exacting illegal toll or cess, etc. . . . . ,, s.28(*6*)(sub.Reg.3,1908,s.10).

raiyat failing to assist proprietor or headman in repairing village dyke, drain, tank, path or boundary mark . . . . . ,, s.28(*f*)(sub.Reg.3, 1908,s.10).

LANDLORD AND TENANT—*contd.*

III.—BENGAL—*concld.*

B.—UNDER OTHER ENACTMENTS—*concld.*

Santhál Parganas—*contd.*

Definition of "Commissioner" and "Deputy Commissioner" . . Reg.2,1886,s.2.
Rent of headman or raiyat to be changed only by Settlement-officer or Deputy Commissioner . . . . . „ s.3.
Periods for which rents adjusted in course of settlement are to remain unchanged . . . . . „ s.6.
Determination of rents by Deputy Commissioner in settled tracts :
Preparation, amendment and publication of table of rates of rent and rent-roll . . . . . „ ss.7to17.
Period for which such table and roll to remain unchanged . „ s.18.
Rents specified in such roll when to take effect . . . „ s.19.
Enhancement of rent on ground of proprietor's improvements . . . . . „ ss.19Ato 19F(ins.Reg. 3,1907,s.2).
Determination of rents by Deputy Commissioner in unsettled tracts :
Application of ss. 7 to 19 of Reg. with modifications . . „ s.20.
Employment of subordinate officers in preparation of tables of rates and rent-rolls . . . . . „ s.21.
Recovery of costs of proceedings connected with application under s. 7 or s. 20 of Reg. . . . . „ s.22.
Application by Settlement-officer of table of rates to waste land included by him in a village . . . . . „ s.23.
New tenancies ; regulation of rents in . . . . . „ s.24.
Raiyat to be ejected only on order of Deputy Commissioner . „ s.25.
Acquisition of land by proprietor for building and other purposes . . . . . „ s.25A(ins. Reg.3,1907,s.3).
Appeals, and control of Lieutenant-Governor . . . Reg.2,1886,ss.26,27.
Power of Lieutenant-Governor—
to order amendment of record-of-rights when table of rates and rent-roll are prepared . . . . . „ s.29.
to make rules . . . . . „ s.30.
to exclude land from operation of Reg. 2, 1886, and such portions of Reg. 3, 1872, as relate to adjustment and record of rents . . . . . Reg.2,1886,s.31.

IV.—EASTERN BENGAL AND ASSAM.

A.—EASTERN BENGAL.

1. Preliminary.

Act 8, 1885, extends to the whole of Eastern Bengal except the Scheduled Districts and notified Municipalities . . . Act8,1885,s.1(*3*)(am.E.B. &A.Act1,1908,s.3)
Definitions . . . . . „ ss.3,5,20,41,47,76, 160,161(ss.3,161am.E.B. &A.Act1.1908,ss 4,51).

LANDLORD AND TENANT—*contd.*

IV.—EASTERN BENGAL AND ASSAM—*contd.*

A.—EASTERN BENGAL—*contd.*

2. Status of Tenants, and General Rights, Powers and Obligations of Landlords and Tenants.

Classes of tenants . . . . . Act 8, 1885, s. 4.
Meaning of "tenure-holder and raiyat" . . . . . ,, s. 5.
(1) Tenure-holder
Restrictions on enhancement of rent of . . . . . ,, ss. 6 to 9.
,, ejectment of permanent tenure-holder . . ,, s. 10.
Transfer and transmission of permanent tenure :
Right to transfer and bequeath . . . . . ,, s. 11.
Voluntary transfer to be registered ; fee and notice to be sent to landlord . . . . . ,, s. 12 (am. E.B.&A. Act 1, 1908, s. 5).
Transfer by sale in execution of decree other than decrees for rent, or by foreclosure ; fee and notice to be sent to landlord . . . . . Act 8, 1885, s. 13 (am. E.B.& A. Act 1, 1908, ss. 5, 6).
On succession, notice to be given to Collector and landlord's fee paid . . . . . ,, ss. 15, 16 (am. E.B. &A. Act 1, 1908, ss. 6, 7).
Payment of such fee to Registrar of Mutations . . . Ben. Act 3, 1895, s. 20.
Application of ss. 11 to 16 of Act 8, 1885, to shares . . Act 8, 1885, s. 17.
Validation of transfers, where landlord's fee not paid . Ben. Act 1, 1903, ss. 1, 3.
Realization of landlords' fees . . . . . ,, s. 2.
(2) Raiyat holding at rate fixed in perpetuity :
Restrictions on ejectment of . . . . . Act 8, 1885, s. 18(b).
Application of ss. 11 to 16 to transfer of, and succession to, holding of . . . . . ,, s. 18(a).
Payment to Registrar of Mutations of landlord's fee under Ben. Act 8, 1885, s. 18 . . . . . Ben. Act 3, 1895, s. 20.
(3) Transfer of tenures or holdings :
Instruments to which landlord is not a party not to be evidence against him as to incidents of tenancy . . ,, s. 18A (ins. E.B.&A. Act 1, 1908, s. 8.)
Acceptance of landlord's fee not to operate as an admission as incidents of tenancy or as a consent to division of tenancy or distribution of rent . . . . . ,, s. 18B (ins. E.B.&A. Act 1, 1908, s. 8.)
Forfeiture of landlord's fee to Government where unclaimed for three years . . . . . ,, s. 18C (ins. E.B.&A. Act 1, 1908, s. 8.)
(4) Occupancy-raiyat :
Continuance of existing occupancy-rights . . . . Act 8, 1885, s. 19(1).
Exclusion of municipalities from operation of Act 8, 1885, not to affect prior rights or liabilities . . . . . ,, s. 19(2) (ins. E. B.&A. Act 1, 1908, s. 9).
Settled raiyat ; definition of . . . . . Act 8, 1885, s. 20.
,, ,, to have occupancy-rights . . . . ,, s. 21.
Effect of acquisition of occupancy-right by landlord . ,, s. 22 (am. E. B.&A. Act 1, 1908, s. 10).
Rights, of, as to use of land . . . . . Act 8, 1885, s. 23.
Obligation of, to pay rent at fair rate . . . . . ,, s. 24.
Restrictions on ejectment of . . . . . ,, s. 25.
Devolution or extinction of occupancy-right on death of . ,, s. 26.
Restrictions on enhancement of rent of . . . . . ,, ss. 27 to 37.
Reduction of money-rent paid by . . . . . ,, s. 38.

LANDLORD AND TENANT—*contd.*

IV.—EASTERN BENGAL AND ASSAM—*contd.*

A.—EASTERN BENGAL—*contd.*

2. Status of Tenants, and General Rights, Powers and Obligations of Landlords and Tenants—*contd.*

(4) Occupancy-raiyat—*contd.*

Price-lists : preparation, revision and publication of ; reference to be made to, in proceedings for enhancement or reduction of rent on ground of rise or fall in prices	Act8,1885,s.39.
Commutation of rent payable in kind, etc.	,, s.40(am.E. B.&A.Act1,1908,s.11).
Periods for which commuted rents are to remain unaltered	Act8,1885,s.40A(ins.E. B.&A.Act1,1908,s.12).
Ch. V (ss. 19 to 40A) not to apply to —	
(*a*) land acquired under the Land Acquisition Act for Government, local authority or railway company, or	Act8,1885,s.116(am.E
(*b*) Government lands in a cantonment, or	B.&A.,Act1,1908,s.39).
(*c*) proprietor's private land held under lease	
(5) Non-occupancy-raiyat :	
Definition of	Act8,1885,s.41.
Initial rent of	,, s.42.
Restrictions on enhancement of rent of	,, s.43.
,, ejectment of	,, ss.44,46.
Meaning of "admitted to occupation"	,, s.47.
Ch. VI (ss. 41 to 47) not to apply to—	
(*i*) lands acquired under the Land Acquisition Act for Government, local authority or railway compay, or	,, s.116(am.
(*ii*) Government lands in a cantonment, or	E.B.&A.Act1,1908,s.39).
(*iii*) proprietor's private lands held under lease, or	Act8,1885,s.180(2).
(*iv*) raiyats holding land under the custom of utbandi	
(6) Under-raiyat :	
Limit of rent recoverable from	,, s.48.
Restrictions on ejectment of	,, s.49.

3. Rent.

Rules and presumptions as to fixity of rent ; exception	,, ss.50,115.
Presumption as to amount of	,, s.51.
Alteration of, on alteration in area	,, s.52(am.E. B.&A.Act1,1908,s.13).
Payment of, in instalments	Act8,1885,s.53.
Time and place for payment of	,, s.54.
Appropriation of payments of	,, s.55.
Receipts and accounts :	
Landlord to give receipt and retain counterfoil	,, s.56,Sch.II.
Presumption of full payment when receipt does not contain prescribed particulars	,, s.56(*4*).
Tenant entitled to full discharge or statement of account at close of year ; landlord to retain counterfoil ; compensation ; appeal ; procuring evidence	,, s.57,Sch.II.
Penalty for withholding receipt or statement of account or failing to retain counterpart	,, s.58(am.E. B.&A.Act1,1908,s.14).

LANDLORD AND TENANT—*contd.*

IV.—EASTERN BENGAL AND ASSAM—*contd.*

A.—EASTERN BENGAL—*contd.*

3 Rent—*contd.*

Receipts and accounts—*contd.*

Forms of, to be kept for sale . . . . . Act 8, 1885, s.59.

Effect of receipt given by proprietor, manager or mortgagee registered under Ben. Act 7, 1876 . . . . . „ s.60.

Deposit of rent:

Application to deposit rent in Court . . . . . „ s.61.

Receipt given by Court to be a valid acquittance . . . „ s.62.

Notification of receipt of deposit . . . . . „ s.63.

Payment or refund of deposit by Court . . . . „ s.64.

Bar to suits against Government . . . . . „ s.64(*4*).

Produce-rents:

Division or appraisement of produce:

Power to order officer to make . . . . . „ s.69(am. E. B.&A.Act1,1908,s.16).

Procedure for, where officer appointed . . . . . Act 8, 1885, s.70.

Rights and liabilities as to possession of crop . . . . „ s.71.

Change of landlord or tenant:

Liability for rent on change of landlord . . . . „ s.72.

„ „ after transfer of occupancy-holding . . „ s.73.

Illegal cesses, etc.:

Prohibition of abwáb and other cesses levied in addition to rent . . . . . „ s.74.

Penalty for exaction by landlord of sum in excess of rent or interest payable . . . . . Act 8, 1885, s.75(am. E.B.& A.Act1,1908,s.17).

In temporarily-settled districts:

Enhancement of rent on expiration of settlement . . . „ s.191.

Alteration of rent in case of new assessment of land-revenue . „ s.192(am. E.B.&A.Act1,1908,s.60).

Arrears of:

Rent when deemed to be in arrear . . . . . „ s.54(*3*).

Permanent tenure-holder, raiyat at fixed rates and occupancy-raiyat not liable to ejectment for arrear, but tenure or holding liable to sale; rent a first charge on tenure or holding . „ s.65.

Ejectment of other tenants for arrear . . . . . „ s.66.

Interest on . . . . . „ s.67(am E.B&A. Act1,1908,s.15).

Power to award damages on rent withheld without reasonable cause or when defendant improperly sued . . . . „ s.68.

Distraint:

Cases in which application may be made to Civil Court for distraint; products which may be distrained . . . „ s.121.

Form of application for; procedure on receipt of application . . . . . „ ss.122,123.

Execution of order for . . . . . „ ss.124,125.

Right to reap, etc., produce . . . . . „ s.126.

Sale of property . . . . . „ ss.127to135.

LANDLORD AND TENANT—*contd.*

IV.—EASTERN BENGAL AND ASSAM—*contd.*

A.—EASTERN BENGAL—*contd.*

3. Rent—*concld.*

Distraint—*contd.*

Procedure where demand is paid before sale; deduction from rent where under-tenant pays . . . . . Act 8, 1885, ss. 136, 137.

Conflict of rights of superior and inferior landlords . . „ s. 138.

Procedure where property distrained is under attachment . „ s. 139.

Appeals barred, but suit may be brought for compensation for wrongful distraint . . . . . „ s. 140.

Power of Local Government to authorize distraint without application to Civil Court; procedure in making such distraints . . . . . „ s. 141.

Power of High Court to make rules of procedure . . . . „ s. 142.

Sale under decree for recovery of:

Passing of tenure or holding sold in execution of decree . „ s. 158B (ins. E.B. & A. Act 1, 1908, s. 50).

General powers of purchaser as to avoidance of incumbrances; definition of "protected interests," "incumbrance," "registered and notified incumbrance," "arrears" and "arrears of rent" . . . . . Act 8, 1885, ss. 159 to 161 (s. 161 am. E.B. & A. Act 1, 1908, s. 51).

Application for sale; order of attachment and proclamation of sale . . . . . „ ss. 162, 163.

Sale of tenure or holding—

subject to registered and notified incumbrances . . . „ ss. 164, 168 (s. 168 am. E.B. & A. Act 1, 1908, s. 52).

with power to avoid all incumbrances . . . . „ ss. 165, 166.

Incumbrances; procedure for annulling . . . . . „ s. 167.

„ registration of . . . . . „ s. 175.

„ notification of, by [registering-officer to landlord . . . . . „ s. 176.

„ power to create, not extended by Act . . „ s. 177.

Disposal of sale-proceeds . . . . . „ s. 169 (am. E.B. & A. Act 1, 1908, s. 53).

Release from attachment, on payment of confession of satisfaction . . . . . Act 8, 1885, s. 170 (am. E.B. & A. Act 1, 1908, s. 54).

Payments into Court to prevent sale; amount paid when deemed a mortgage-debt; reduction of amount from rent . . . . . „ ss. 171, 172.

Decree-holder may bid at sale; judgment-debtor may not . „ s. 173.

Application by judgment-debtor to set aside sale . . „ s. 174 (am. E.B. & A. Act 1, 1908, s. 55).

Recovery of, under the certificate procedure . . . „ s. 158A (ins. E.B. & A. Act 1, 1908, s. 49).

See also above, 2, and below, 4, 5.

4. Records, and Settlement of Rents.

Record-of-rights and settlement of rents:

Record-of-rights—

Power to order survey and preparation of record-of-rights; particulars to be recorded . . . . . „ ss. 101, 102 (am. E.B. & A. Act 1, 1908, ss. 18, 19).

LANDLORD AND TENANT—*contd.*

IV.—EASTERN BENGAL AND ASSAM—*contd.*

A.—EASTERN BENGAL—*contd.*

4. **Records, and Settlement of Rents**—*contd.*

Record-of-rights and settlement of rents—*contd.*

Record-of-rights—*contd.*

Power to order survey and preparation of record-of-rights as to water	Act 8, 1885, s. 102A (ins. E.B. & A. Act I, 1908, s. 20).
Power of Revenue-officer to record particulars on application of proprietor, tenure-holder or large proportion of raiyats	,, s. 103.
Preliminary publication, amendment and final publication of record	,, s. 103A.
Certificate of and presumption as to final publication; notification of final publication; presumption as to correctness of record	,, s. 103B (am. E.B. & A. Act I, 1908, s. 21).

Settlement of rents, preparation of settlement rent-roll, and disposal of objections, in cases where a settlement of land-revenue *is being or is about to be made*:

Settlement of rents and preparation of settlement rent-roll: when to be undertaken; procedure	,,	ss. 104, 104A (s. 104 am. E.B. & A. Act I, 1908, s. 23).
Table of rates; preparation, contents, publication, amendment, confirmation, effect and application of	,,	ss. 104A (c), 104B to 104D.
Settlement Rent-Roll: preliminary publication, amendment and confirmation of	,,	ss. 104E, 104F.
,, ,, ,, incorporation of, with record-of-rights	,,	s. 104F (3).
Appeal to, and revision by, superior Revenue-authorities	,,	s. 104G.
Jurisdiction of Civil Courts in matters relating to rent	,,	s. 104H (am. E.B. & A. Act I, 1908, s. 24).
Presumptions as to rents settled under ss. 104A to 104G	,,	s. 104J.

Settlement of rents and decision of disputes in cases where a settlement of land-revenue *is not being made or is not about to be made*:

Settlement of rents when to be undertaken; decision of questions arising; institution of suit; procedure	,,	ss. 105 to 107 (ss. 105, 106, 107 am. s. 105 A ins. E.B. & A. Act I, 1908, ss. 23, 25 to 28).
,, ,, revision by Revenue-officer	,,	s. 108 (am. E.B. & A. Act I, 1908, s. 29).
,, ,, bar to jurisdiction of Civil Courts	,,	s. 109 (am. E.B. & A. Act I, 1908, s. 31).
,, ,, appeals from decisions of Revenue-officers	,,	s. 109A (am. E.B. & A. Act I, 1908, s. 32).
Correction by Revenue-officers of mistakes in record-of-rights	,,	s. 108A (ins. E.B. & A. Act I, 1908, s. 30).
Power of Revenue-officer to presume that agreements or compromises are lawful	,,	s. 109B (ins. E.B. & A. Act I, 1908, s. 33).
Notes of decisions on record	,,	s. 109C (ins. E.B. & A. Act I, 1908, s. 33).
Date from which settled rent takes effect	,,	s. 110.
Stay of proceedings in Civil Courts during preparation of record-of-rights	,,	s. 111 (am. E.B. & A. Act I, 1908, s. 34).

LANDLORD AND TENANT—*contd.*

IV.—EASTERN BENGAL AND ASSAM—*contd.*

A.—EASTERN BENGAL—*contd.*

4. Records and Settlement of Rents—*concld.*

'Settlement of rents and decision of disputes in cases where a settlement of land-revenue *is not being made or is not about to be made—contd.*

Limitation of jurisdiction of Civil Courts in matters, other than rent, relating to record-of-rights	Act 8, 1885, s. 111A.
Stay of suits in which certain issues arise	,, s. 111B (ins. E. B. & A. Act 1, 1908, s. 35).
Power to authorize special settlement in special cases	Act 8, 1885, s. 112 (am. E. B. & A. Act 1, 1908, s. 36).
Period for which rents as settled are to remain unaltered	,, s. 113.
Payment by landlords, tenants and occupants of expenses of proceedings	,, s. 114 (rep. in pt. and am. E. B. & A. Act 1, 1908, s. 37).
Alternative procedure for recovering expenses; recovery from successors in interest; power to make rules as to distribution of expenses	Ben. Act 3, 1895, ss. 28 to 32, 36(c).
Demarcation of village-boundaries	,, s. 115A (ins. E. B. & A. Act 1, 1908, s. 38).
Validation of records published under Act 8, 1885, s. 105, before commencement of Ben. Act 3, 1898	Ben. Act 3, 1898, s. 8.
Effect of settlements of rent and decisions by Revenue-officers made before commencement of Ben. Act 3, 1898	,, s. 9.
Record of proprietors' private lands:	
Power to order survey and record of proprietors' private lands	Act 8, 1885, s. 117.
Power to ascertain and record whether land is proprietor's private land, on application of proprietor or tenant	,, s. 118.
Application of ss. 103A, 103B, 106, 107, 108, 109 and 109A	,, s. 119.
Rules for determining what land is proprietor's private land	,, s. 120 (am. E. B. & A. Act 1, 1908, s. 41).

5. Miscellaneous Provisions.

Presumption as to conditions under which tenant holds	Act 8, 1885, s. 51.
Power of Court, on application, to determine incidents of tenancy	,, s. 158 (am. E. B. & A. Act 1, 1908, s. 48).
Limitation in suits, appeals and applications; Indian Limitation Act how far applicable	,, ss. 184, 185, Sch. III (Sch. III am. E. B. & A. Act 1, 1908, s. 61).
Improvements:	
Definition of	Act 8, 1885, s. 76.
Right to make	,, ss. 77 to 79.
By landlord; registration of	s. 80.
,, enhancement for	,, s. 33.
Record of evidence as to, on application	,, s. 81.
By raiyat; compensation for	,, ss. 82, 83.
Compulsory acquisition of tenant's holding by landlord for purposes of building, etc.	,, s. 84.
Sub-letting; restrictions on	,, s. 85.

LANDLORD AND TENANT—*contd.*

IV.—EASTERN BENGAL AND ASSAM—*contd.*

A.—EASTERN BENGAL—*contd.*

5. Miscellaneous Provisions—*contd.*

Surrender of holding . . . . . Act8,1885,s.86.
Abandonment of holding . . . . . ,, s.87.
Sub-division of tenure or holding, or distribution of rent, not binding on landlord without his consent . . . . . ,, s.88.
Acceptance of landlord's fee does not operate as a consent under s. 88 . . . . . Act8,1885,s.18B(*b*)(ins. E.B.&A.Act1,1908,s.8).
Ejectment to be in execution of decree only . . . . . Act8,1885,s.89.

Measurements:
Landlord's right to measure land . . . . . ,, s.90.
Power for Court to order tenant to attend and point out boundaries . . . . . ,, s.91.
Standard of measurement . . . . . ,, s.92.

Managers:
Compulsory appointment of common manager by or for co-owners . . . . . ,, ss.93to95.
Power of Local Government to nominate person to be such manager for all estates and tenures in a local area . . ,, s.96.
Remuneration, duties, powers and removal of such manager; power of High Court to make rules as to powers and duties ,, ss.98,100.
Court of Wards may be appointed such manager; application of Ben. Act 9, 1879 . . . . . ,, ss.95,97.
Power to restore management to co-owners . . . . . ,, s.99.

Contract and custom:
Restrictions on exclusion of Act by agreement . . . ,, s.178(am. E.B.&A.Act1,1908,s.56).
Saving of right of proprietor or of holder of permanent tenure in permanently-settled area to grant permanent mukarrari lease on any terms agreed on . . . . . Act8,1885,s.179.
Restriction on acquisition of right of occupancy in uthandi, chur or diara lands; pending such acquisition, rent to be according to agreement; power of Collector to declare that land has ceased to be chur or diara . . . . . ,, s.180.
Act not to affect incidents of ghatwali or other service-tenures . . . . . ,, s.181.
Homestead: incidents of tenancy of, to be regulated by custom ,, s.182.
General saving of customs not inconsistent with Act . . ,, s.183.
Power of Court to fix fair rent as alternative to ejectment of trespasser . . . . . ,, s.157.
Provisions as to suits for recovery of arrears of rent to apply to suits for recovery of sums payable for right of pasturage, forest-rights, rights over fisheries, etc. . . . . ,, s.193.
Tenant not enabled by Act to violate conditions binding on landlord . . . . . ,, s.194.
Punishment for falsification of accounts by native agents of proprietors of farmers . . . . . Ben.Reg.12,1817,ss.27,30.

LANDLORD AND TENANT—*contd.*

IV.—EASTERN BENGAL AND ASSAM—*contd.*

A.—EASTERN BENGAL—*concld.*

6. Jurisdiction and Procedure.

What Civil Court has jurisdiction in suits and applications . Act8,1885,s.144.
Power of High Court to modify Code of Civil Procedure in its application to suits between landlord and tenant . . . ,, s.143.
Naibs or gumashtas to be recognized agents of landlord . . ,, s.145.
Special register of suits . . . . . ,, s.146.
Successive rent-suits . . . . . ,, s.147.
Compromise of suits between landlord and tenant . . . ,, s.147A(ins. E.B.&A.Act1,1908,s.42).
Civil Courts to have regard to entries in record-of-rights . . Act8,1885,s.147B(ins. E.B.&A.Act1,1908,s.42).
Procedure in rent-suits . . . . . Act8,1885,s.148(am. E.B.&A.Act1,1908,s.43).
Suit for arrears of rent by co-sharer landlord . . . . Act8,1885,s.148A(ins. E.B.&A.Act1,1908,s.44).
Payment into Court of money admitted to be due . . . Act8,1885,ss.149to152 (ss.149,150rep.in pt.E.B. &A.Act1,1908,s.45).
Appeals in rent-suits . . . . . Act8,1885,s.153(am. E.B.&A.Act1,1908,s.46).
Deposit on application to set aside *ex parte* decree or for review. Act8,1885,s.153A(ins. E.B.&A.Act1,1908,s.47).
Date from which decree for enhancement takes effect . Act8,1885,s.154.
Relief against forfeitures . . . . . ,, s.155.
Rights of ejected tenant in respect of crops and land prepared for sowing . . . . . ,, s.156.
Power of Court to fix fair rent as alternative to ejectment of trespasser . . . . . ,, s.157.

7. Supplemental.

Penalties for illegal interference with produce . . . . ,, s.186.
Damages for denial of landlord's title . . . . . ,, s.186A(ins. E.B.&A.Act1,1908,s.57).
Power for landlord to act through agent . . . . . Act8,1885,s.187.
Joint landlords to act collectively or by common agent . . ,, s.188.
Procedure in suits by joint landlord . . . . . ,, s.188A(ins. E.B.&A.Act1,1908,s.58).
Power of Local Government to make rules as to procedure, powers of officers, forms, service of notices and landlords' fees . Act8,1885,s.189(am. E.B.&A.Act1,1908,s.59).
Procedure for making, publication and confirmation of rules . Act8,1885,s.190.
Saving of special enactments . . . . . ,, s.195.
,, power for Local Council to amend Act 8, 1885 . . ,, s.196.

B.—EASTERN BENGAL AND ASSAM.

Patni taluq :
Definition . . . . . Ben.Reg.8,1819,s.1.
Declared valid, transferable and answerable for debt . . ,, s.3(*1*).
Not voidable for arrears ; sale for arrears . . . . ,, s.3(*3*)

LANDLORD AND TENANT—*contd.*

IV.—EASTERN BENGAL AND ASSAM—*contd.*

B.—EASTERN BENGAL AND ASSAM—*contd.*

Patni taluq—*contd.*

Right to underlet	Ben. Reg. 8, 1819,	ss. 3(2), 4.
On transfer of, landlord entitled to receive fee and to demand security from transferee	,,	ss. 5 to 7.
Validation of leases fixing rent in perpetuity or for more than ten years; saving of liability to cancellation on sale of estate for arrears of revenue	,,	s. 2.
Periodical sales of tenures at instance of zamindar, where the right to sell for arrears of rent was reserved by the lease creating the tenure:		
Zamindar's right to apply for sale	,,	s. 8.
Procedure for conducting sale	,,	ss. 9, 10.
Deposits made under Ben. Reg. 8, 1819, s. 9: if forfeited, to be applied to defray expenses of sale, balance being credited to Government	Act 25, 1850.	
Purchaser bound by agreement under ss. 4, 5 of Ancient Monuments Preservation Act, 1904, executed by holder of tenure for the time being	Act 7, 1904,	s. 8.
Avoidance of incumbrances	Ben. Reg. 8, 1819,	ss. 11, 12.
Staying of sale by payment into Court; sale not to be stayed unless payment made	,,	ss. 13, 14.
Delivery to purchaser of certificate of sale and order for possession	,,	s. 15(1).
Procedure in case of opposition to purchaser in obtaining possession	,,	s. 15(2), (3).
Disposal of proceeds of sale	,,	s. 17.
Ben. Reg. 8, 1819, applied to other sales for arrears of rent at instance of zamindar; notice to be given of sale	Ben. Reg. 1, 1820.	
Sales for arrears of rent, or suits relating to arrears of rent:		
By whom to be conducted or heard, where lands situate in different Collectorates	Act 6, 1853,	ss. 1 to 3.
Powers of independent Deputy Collector in reference to	,,	ss. 4 to 7.
Publication of notices	,,	s. 8.
Sale of patni taluqs and other under-tenures for arrears of rent:		
Sale to be conducted by Collector; powers of Judge withdrawn	Ben. Act 8, 1865,	s. 3.
Procedure for conducting sale in execution of decree	(E.B.) Ben. Act 8, 1865,	ss. 4, 5.
Sale to be stopped on deposit of payment; application of Ben. Reg. 8, 1819, s. 13	,,	s. 6.
Sale to be to highest bidder	,,	s. 7.
Payment of purchase-money; re-sale on default	,,	ss. 8 to 10.
Certificate and possession to be given to purchaser	,,	s. 11, Sch.
Disposal of proceeds of sale	,,	s. 12.
Appeal and revision	,,	ss 13 to 15.
Avoidance of incumbrances	,,	s. 16.
Purchaser to apply to landholder for registration, and to execute kabuliyat	,,	s. 17.

LANDLORD AND TENANT—*contd.*

IV.—EASTERN BENGAL AND ASSAM—*concld.*

B.—EASTERN BENGAL AND ASSAM—*concld.*

Position of tenants when estate sold for arrears of revenue under Act 11, 1859. *See* LAND-REVENUE, V, A, 4.

Registration of interests of landlord and tenant. *See* REGISTRATION OF LAND, I.

V.—BOMBAY PRESIDENCY.

1. Generally.

Bar to jurisdiction of Civil Courts in certain cases affecting landlord and tenant . . . . . Act10,1876,ss.4,5.

Receipt to be given for rent, and (except in Panch Mahals) to be signed by village-accountant; penalty . . . . . Bom.Act5,1879,ss.58 (sub.Bom.Act1,1910, s.2),59. Act7,1885,s.2 (am.Bom.Act1,1910,s.2).

Rent or services to be paid or rendered by tenant; enhancement; eviction for non-payment or non-rendition . . . . Bom.Act5,1879,s.83.

Duration of tenancy . . . . . Bom.Act5,1879,s.83.

Presumption that occupant is in possession as tenant . . Bom.Act5,1879,s.83.

Annual tenancy: date for termination of; notice of termination . „ s.84,Sch.E.

Superior holder's dues on account of rent or land-revenue:

To be received through hereditary village-officers, except in Panch Mahals . . . . . Bom.Act5,1879,s.85(sub. Bom.Act1,1910,s.2). Act7,1885,s.2.

Recovery of, under ss. 138 to 187, on application to Collector Bom.Act5,1879,ss.86,87.

Collector to refuse assistance where application of superior holder not supported by record-of-rights . . . . Bom.Act4,1903,ss.12,17.

Issue of commission conferring on holder of alienated lands certain powers under Act for recovery of rent or land-revenue, for regulating use and relinquishment of lands and for maintenance and repair of boundary-marks . . . . Bom.Act5,1879,ss.88to94, Schs.D.,F.

2. Khoti land.

Power to fix demands of khot on tenant, for period of settlement Bom.Act1,1865,s.38.

Local extent of Bom. Act 1, 1880 . . . . . Bom.Act1,1880,s.1.

What holders of, to have right of occupancy . . . . . „ ss.5,6.

Continuance of privileged occupants tenures on payment of rent. „ s.7.

Continuance of ordinary tenures; tenants when deemed to be yearly tenants . . . . . „ s.8.

Transfer and heritability of tenures . . . . . „ s.9.

Resignation, lapse or forfeiture of rights of privileged occupant . „ s.10.

Power of khot to confer on tenant the rights of a privileged occupant; record of such grants . . . . . „ ss.11,12.

Khot's right to rent where occupancy-tenant neglects to cultivate „ s.14.

Accounts to be kept, and receipts given, by khot . . . . „ s.15.

Managing khot alone entitled to assistance for recovery of rent from privileged occupants under Bom. Act 5, 1879, ss. 86, 87; delegation of duties and powers of managing khot. . . „ ss.31,31A.

LANDLORD AND TENANT—*contd.*

V.—BOMBAY PRESIDENCY—*contd.*

2. Khoti land—*contd.*

Privileged occupants :
Amount of rent payable by . . . . . Bom.Act1,1880,s.33.
Rents of, how and when to be paid . . . . . ,, s.34.
No cesses, etc., to be levied from . . . . . ,, s.35.
Inferior holders not liable to Local Fund Cess . . . . . ,, s.36.
Power to make rules . . . . . ,, s.40.

3. Bhagdari and Narwadari Tenures.

Bom. Act 5, 1862, not in force in Panch Mahals . . . . Act7,1885,s.2.
Prohibition of attachment, etc., or alienation, of—
bhag or share in bhagdari or narwadari village, not being a recognized sub-division, or . . . . . homestead, building-site or premises appurtenant to such bhag, share or recognized sub-division . . . . . Bom.Act5,1862,ss.1to3.
Act not to prevent attachment, etc., or alienation of bhag or shares or recognized sub-division conjointly and in gross with its homestead, building-site and other proper appurtenances ,, ss.4,5.
Power to declare that land which had ceased to be held on bhagdari or narwadari tenure shall again be held on such tenure : objections and suggestions made by persons interested to be considered before making declarations : provisions of section 1, 2 or 3 not to apply to alienation, etc., effected within any period during which land was not held on bhagdari or narwadari tenure . . . . . ,, s.6(ins.Bom. Act2,1910).
Bom. Act 5, 1862, not affected by—
Bombay Revenue Jurisdiction Act, 1876 . . . . Act10,1876,s.1.
Bombay Land-revenue Code, 1879, ss. 113, 115, 116 . . Bom.Act5,1879,s.117.

VI.—CENTRAL PROVINCES, AND THE SAMBALPUR DISTRICT OF BENGAL.

1. Preliminary.

Definitions . . . . . Act11,1898,ss.2,23,36,44, 59,62.

2. Status of Tenants, and Rights, Powers and Obligations of Landlords and Tenants

(*a*) GENERALLY.

Classes of tenants . . . . . Act11,1898,s.3.
Rent : presumption as to amount payable . . . . ,, s.4.
,, date from which order fixing, altering or commuting rent takes effect . . . . . ,, s.5.
,, instalments and times for payment of . . . . ,, s.6.
,, tenant not bound to pay in shares to different landlords . . . . . ,, s.7.
,, deposit of money-rent with Revenue-officer for payment to landlord . . . . . ,, ss.8,9.
,, penalty on landlord for levy of anything in excess of . ,, s.10.
,, ,, ,, for refusing to give receipt, or giving defective receipt, for . . . ,, s.12.

LANDLORD AND TENANT—*contd.*

VI.—CENTRAL PROVINCES, AND THE SAMBALPUR DISTRICT OF BENGAL—*contd.*

2. Status of Tenants, and Rights, Powers and Obligations of Landlords and Tenants.

(*a*) GENERALLY—*contd.*

Rent: presumption that payments are for	Act 11, 1898,	s.11.
,, enhancement of money-rent when productive power of holding increased by landlord	,,	s.13.
,, reduction of, when effect of improvement ceases	,,	s.14.
,, alteration of money-rent when holding increased, diminished or deteriorated	,,	s.15.
,, ,, of rent in case of new assessment of land-revenue	,,	s.16.
,, commutation of other rents to fixed money-rents	,,	s.17.
,, remission or suspension of, consequent on like treatment of land-revenue	,,	s.18.
,, division or appraisement of crop by Commissioner appointed by Revenue-officer	,,	ss.19 to 22.
,, arrears of; landlord's lien on produce; his power to prohibit removal; sale when produce is attached by Civil Court; penalty for illegal distraint or for illegal removal of produce	,,	ss.23 to 30.
Improvements: right of landlord and tenant to make, in case of absolute occupancy, occupancy and ordinary tenancies	,,	s.31.
,, liability of landlord to pay compensation for, on ejectment of tenant; assessment and mode of payment of compensation	,,	ss.32,33.
,, avoidance of entries in record-of-rights and contracts barring tenant's right to make or be compensated for	,,	s.34.
,, by tenant, how to be treated in fixing rent	,,	s.79.
Surrender of holding	,,	ss.35,36.
Tenant's interest as tenant not affected by his taking thika or farm	,,	s.37.
Provisions of Act as to rights of absolute occupancy, occupancy or ordinary tenant not applicable to tenant of land in reserved forest	,,	s.38.

(*b*) ABSOLUTE OCCUPANCY-TENANTS.

Definition	,,	s.39.
Rent payable by, to be fixed for period of settlement; restriction on alterations	,,	s.40.
,, a first charge on holding	,,	s.43.
Right of, heritable and transferable; notice of transfer or alienation to be given to landlord, who may claim to purchase	,,	s.41.
Tenant not liable to ejectment	,,	s.42.

(*c*) OCCUPANCY-TENANTS.

Definition	,,	s.44.
Proprietor when to become an occupancy-tenant in respect of his sir-land; rent payable for such land; sanction required to transfer of sir-land; restriction on registration of such transfers; partition of undivided share in sir-land; bar to jurisdiction of Civil Courts; section not to apply to "bhogra" land	,,	s.45.

LANDLORD AND TENANT—*contd.*

VI.—CENTRAL PROVINCES, AND THE SAMBALPUR DISTRICT OF BENGAL—*contd.*

2. Status of Tenants, and Rights, Powers and Obligations of Landlords and Tenants—*contd.*

(*c*) OCCUPANCY-TENANTS—*contd.*

Occupancy-right; devolution of	Act 11, 1898,	s.46(*1*).
„ „ exemption of, from sale by Court	„	s.46(*2*).
„ „ restrictions on transfer of	„	s.46(*3*),(*4*).
„ „ restriction on registration of documents transferring	„	s.46(*5*).
„ „ setting aside transfers of	„	ss.47,48.
Rent to be fixed at settlement	„	s.49.
„ restrictions on alteration of rent in Chanda, Nimar or Sambalpur District during currency of settlement; enhancement of rent in other districts	„	ss.50,51.
„ amount payable for sir-land to be fixed by Revenue-officer on application	„	s.45(*1*).
Ejectment of: grounds for	„	s.52.
Acquisition of right of occupancy in land taken by occupancy-tenant by exchange	„	ss.53,54
„ of occupancy-right by ordinary tenant; rent to be paid	„	s.73.

(*d*) VILLAGE-SERVICE-TENANTS.

Definition	„	s.55.
Devolution and transfer of holding of village-service-tenant; his right not to be sold in execution of decree	„	s.56.
Obligation of, to provide substitute	„	s.57.
Ejectment of: grounds for	„	s.58.

(*e*) SUB-TENANTS.

Definition	„	s.59.
To hold with certain exceptions, according to agreement	„	s.60.
Power to declare sub-tenants in certain cases to have rights of ordinary tenants	„	s.61.

(*f*) ORDINARY TENANTS.

Definition	„	s.62.
Rent for land cultivated in partnership with proprietor to be fixed by Revenue-officer on application	„	s.62(*2*).
„ to be fixed and recorded by Settlement-officer	„	s.63(*1*),(*2*).
„ power of Settlement-officer to declare tenant to be entitled to hold at rent lower than that fixed under s. 63 (*1*), until expiry of settlement	„	s.63(*3*).
„ when to be fixed by agreement	„	s.67.
„ notice of enhancement	„	s.64.
„ acceptance of enhancement	„	ss.65(*1*),66.
„ bar to further enhancement for seven years; exception	„	s.68.
„ procedure when tenant in suit pleads excessive rent; fixing of rent by Revenue-officer	„	s.78.
Ejectment of	„	ss.65(*2*), 66(*4*),69.

LANDLORD AND TENANT—*contd.*

VI.—CENTRAL PROVINCES, AND THE SAMBALPUR DISTRICT OF BENGAL—*concld.*

2. Status of Tenants, and Rights, Powers and Obligations of Landlords and Tenants—*concld.*

(*f*) Ordinary Tenants—*contd.*

Holding of; devolution of	Act 11, 1898, s.70(*1*).
,, exemption of, from sale by Court	,, s.70(*2*).
,, restrictions on transfer of	,, s.70(*3*),(*4*).
,, prohibition of registration of documents transferring	,, s.70(*5*).
,, setting aside transfers of	,, ss.71,72.
Obligation of landlord to confer occupancy-right on; rent to be paid as occupancy-tenant	,, s.73.
Power to declare sub-tenants in certain cases to have rights of ordinary tenants	,, s.61.

3. Jurisdiction and Procedure.

Separate register for suits between landlord and tenant	,, s.74.
Additional matters to be stated in plaint	,, s.75.
Legal practitioners' fees not ordinarily allowed as costs	,, s.76.
Arrears; set-off when allowed in suit for	,, s.77.
,, interest on	,, s.80.
,, no appeal in certain suits for	,, s.81.
,, contents of application for sale of holding or ejectment for; such application not to be admitted during the year in which the arrear accrued	,, ss.82,83.
,, procedure for sale of holding for	,, s.84.
,, ,, ,, ejectment of tenant for	,, s.85.
,, power of Court to deal with cases of drought or other calamity in suits for	,, s.86.
,, all claims to be determined in suits for	,, ss.90,91.
Procedure when ordinary tenant in suit pleads excessive rent; fixing of rent by Revenue-officer	,, s.78.
Ejectment; relief against forfeitures	,, s.87.
,, rights of tenant in respect of crops and land prepared for sowing	,, ss 88,89.
,, re-instatment of tenant illegally ejected	,, s.92.
,, *see also above*, 2 (*b*), (*c*), (*d*), (*f*)	
Limitation of suits	,, s.94.
Bar to jurisdiction of Civil Courts in certain cases	,, s.95.
Revenue-officers and Settlement-officers to follow procedure under Central Provinces Land-revenue Act, 1881	,, s.96(*1*).
Appeals	,, ss.81,96(*2*).
Cases in which Civil Courts are to have jurisdiction in suits between landlord and tenants	,, s.97.
Fines and penalties recoverable as arrears of land-revenue	,, s.98.

4. Miscellaneous.

Enquiry by Revenue-officer to ascertain extent of holding or take evidence of improvement, etc.	,, s.93.
Power of Local Government to make rules	,, ss.45(2),99.

LANDLORD AND TENANT—*contd.*

VII.—COORG.

Deduction from rent by tenant of—

value of produce distrained or sold for landlord's arrears of revenue . . . . . Reg.1,1899,s.70.

amount paid to release landlord's immoveable property attached for arrears of revenue . . . . . " s.94.

VIII.—MADRAS PRESIDENCY.

A.—MADRAS PRESIDENCY (EXCEPT THE CITY OF MADRAS).

1. Preliminary.

Mad. Regs. 25 of 1802 and 4 of 1822 and Act 7 of 1839 declared in force throughout the Presidency of Madras, except as regards the Scheduled Districts . . . . . Act15,1874,s.4.

Mad. Act 2, 1864, not to apply to City of Madras . . . Mad.Act2,1864,s.64.

Mad. Act 1, 1908, not to apply to—

City of Madras or Malabar District or South-East Wynaad . Mad.Act1,1908,s.1.

Provisions of Mad. Act 1,1908, not to govern relations between raiyat and his tenants or between landholder and tenant in respect of private land and the rights of other owners of land unless expressly made applicable . . . . . " s.19.

Definitions . . . . . Mad.Act1,1908,s.3(rep. pt.Mad.Act4,1909,s.2), s.60.

2. Status of Tenants, and Rights, Powers and Obligations of Landholders and Tenants.

(*a*) GENERALLY.

Engagements:

Written agreements to be executed; contents thereof . . Mad.Reg.25,1802,s.14.

Patta and muchalka to be executed between landholder and occupancy-raiyat and raiyat holding old waste . . . Mad.Act1,1908,s.50.

Contents and period of . . . . . " ss.51,52.

Registration of . . . . . " s.58.

Suit, etc., barred unless valid patta or muchalka exists or valid patta tendered . . . . . " s.53.

Suit to enforce grant or acceptance of patta and execution of muchalka; procedure . . . . . " ss.54to57.

Transfer and sub-division of holdings: landholder bound to recognise on receipt of notice: distribution of rent on sub-division; fresh engagement with transferors or cosharers: proceedings against transferor, etc., prior to notice valid against transferee, etc. . . . . " ss.145to147.

Non-occupancy-raiyat: power of, to acquire right of, occupancy; grounds for ejectment of . . . . . " s.46(am. Mad.Act4, 1909,s.5).

" s.153(am. Mad.Act4, 1909,s.8).

LANDLORD AND TENANT—*contd.*

VIII.—MADRAS PRESIDENCY—*contd.*

A.—MADRAS PRESIDENCY (EXCEPT THE CITY OF MADRAS)—*contd.*

2. Status of Tenants, and Rights, Powers and Obligations of Landholders and Tenants—*contd.*

(*a*) GENERALLY—*contd.*

Occupancy-right:	
Raiyat in possession of raiyati land to have permanent right of occupancy in his holding	Mad. Act I, 1908, s. 6(*1*). (expl. add. Mad. Act 4, 1909, s. 3).
Acquisition of, in land surrendered or abandoned by occupancy-raiyat or otherwise coming into possession of landholder in certain cases	,, s. 6(2).
Power to prevent acquisition of, in respect of waste-land	,, s. 6(*3*),(*4*),(*5*) (am. Mad. Act 4, 1909, s. 4).
Restriction on ijaradar acquiring	,, s. 6(*6*).
Power of non-occupancy-raiyat to acquire, on application; procedure	,, s. 46 (am. Mad. Act 4, 1909, s. 5).
Bar to acquisition of, in respect of landholder's private land	,, s. 181.
Merger of; effect of merger	,, s. 8.
Heritable and transferable; extinction of, on death of raiyat intestate and without heir	,, s. 10.
Right of occupancy-raiyat to enjoy and cut down trees	,, s. 12.
Ground on which occupancy-raiyat may be ejected	,, s. 151(*1*).
Use of land by raiyat	,, s. 11.
Improvements:	
Right to make	,, ss. 13, 14, 15. 18.
By landholder: registration of	,, s. 16.
,, ,, enhancement of rent for	,, ss. 30(*ii*), 32.
Record of evidence as to, on application	,, s. 17.
Irrigation works:	
Power, on application of raiyat, to require landholder to execute repairs or authorise raiyat to execute them; deduction from rent of costs paid by raiyat: right of suit	,, ss. 135 to 137, s. 138 (am. Mad. Act 4, 1909. s. 6), ss. 139 to 141.
Appeal to Revenue-authorities: bar to jurisdiction of Civil Court	,, s. 142, Sch. B (am. Mad. Act 4, 1909, ss. 7, 10).
Compulsory acquisition by landholder of whole or part of holding for reasonable and sufficient purpose: compensation	,, s. 186.

(*b*) RENT.

Landholder's right to collect rent of raiyati land in occupation of raiyat	,, s. 4.
Rent of raiyati land a first charge on the holding and produce thereof; saving of rights of Government	,, s. 5.

LANDLORD AND TENANT—*contd.*

VIII.—MADRAS PRESIDENCY—*contd.*

A.—MADRAS PRESIDENCY (EXCEPT THE CITY OF MADRAS)—*contd.*

2. Status of Tenants, and Rights, Powers and Obligations of Landholders and Tenants—*contd.*

(*b*) RENT—*contd.*

Obligation of raiyat to pay rent at fair rate	MadActI,1908,s.25.	
Premium, provisions as to	,,	s.25.
Enhancement of rent, provisions as to	,,	ss.24,26,29to 37,41.
,, ,, in respect of old waste	,,	ss.47to49.
Reduction of rent	,,	ss.38,39,41.
Deduction from, in respect of amount paid by raiyat for repair of irrigation works	,,	s.141.
Deduction from rent where tenant's crops or products sold for arrears of revenue, or when tenant pays such arrear	Mad.Act2,1864,ss.11,35.	
See also PERMANENT SETTLEMENT, 2.		
Presumption as to amount and fair rate of	Mad.ActI,1908,ss.27,28.	
Commutation of rent	,,	s.40.
Commuted rent not to be altered for twenty years except in certain cases	,,	s.41.
Alteration of, on alteration of area	,,	ss.42to44.
Payment of, in instalments	,,	s.59.
Appropriation of payments of; penalty for not duly crediting payment	,,	ss.64,65.
Place of payment of	,,	s.66.
Receipts and accounts:		
Receipts to be given	Mad.Reg.25,1802,s.14.	
Landholder to give receipt and retain counterfoil	Mad.ActI,1908,s.62.	
Particulars to be mentioned in receipt: presumption of full payment when receipt does not contain substantially particulars required	,,	s.63.
Penalty for withholding receipt	,,	s.65.
Effect of receipt of person recognised or nominated under s. 3 (5)	,,	s.67.
Deposit of rent:		
Application to deposit rent in office of Collector	,,	s.68.
Receipt given by Collector to be a valid acquittance	,,	s.69.
Notification of receipt of deposit	,,	s.70.
Payment or refund of deposit	,,	s.71.
Bar to suits against Government or Government officer	,,	s.72.
Produce-rents:		
Division or appraisement of produce:		
Power to order officer to make	,,	s.74, 75(*1*).
Procedure for, where officer appointed	,,	ss.75,76.
Rights and liabilities as to possession of crop	,,	s.73.
Change of landholder or ryot:		
Liability for rent on transfer, etc., by landholder	,,	s.148.

LANDLORD AND TENANT—*contd.*

VIII.—MADRAS PRESIDENCY—*contd.*

A.—MADRAS PRESIDENCY (EXCEPT THE CITY OF MADRAS)—*contd.*

2. Status of Tenants, and Rights, Powers and Obligations of Landholders and Tenants—*contd.*

(*b*) RENT—*contd.*

Change of landholder or raiyat—*contd.*

Liability for rent on transfer, etc., by raiyat	Mad. Act I, 1908,	s.147.
Distribution of, on sub-division of holding	,,	s.145.
Illegal cesses :		
Prohibition of levy of anything in addition to rent	,,	s.143.
Penalty for exaction by landholder of sum in excess of rent payable	,,	s.144.
Arrears of :		
Rent when deemed to be arrear	,,	s.60.
Interest on	,,	s.61.
Distraint :		
Power of landholder to distrain upon his own responsibility : properties exempted from distraint	,,	s.77.
Procedure for effecting distraint ; distraint to be proportionate to arrear	,,	ss.78to82.
Distrainer's power of entry ; procedure for forcing open outer door or entering zenana	,,	ss.84,85.
Power to reap and preserve standing crop under distraint	,,	s.83.
Distrained property not to be worked or used, liability of distrainer for loss or injury to	,,	ss.86,88.
Claims to distrained property : power to recover distrained property wrongfully conveyed or removed : right of suit	,,	ss.89to91.
Withdrawal of distraint on tender of arrears, etc., or furnishing of security	,,	ss.87,110.
Irregularities in distress to be reported by sale-officer ; effect of ; powers of Collector when distraint found to be groundless or vexatious	,,	ss.103,104.
Application to sale-officer under Act 7, 1839, for sale of distrained property ; distraint to cease if no application made within fifteen days from date of distraint	,,	ss.91to93.
Notice of sale to be served on defaulter or cultivator ; suit before Collector to set aside distress	,,	ss.94to96.
Sale of property	,,	ss.95to107.
Procedure when demand, etc., paid before sale ; deduction from rent where under-tenant pays	,,	ss.87(2),108.
Right under distraint to prevail over attachment by Civil Courts	,,	s.109.
Validity of tender under protest	,,	s.110.
Application of provisions to case of private land or Government raiyatwari-land	,,	s.134.
Powers of Tahsildars for sale of property distrained ; their fees to be credited to Government ; delegation of such powers	Act 7, 1839,	ss.2,3, 5,6.

LANDLORD AND TENANT—*contd.*

VIII.—MADRAS PRESIDENCY—*contd.*

A.—MADRAS PRESIDENCY (EXCEPT THE CITY OF MADRAS)—*contd.*

2. Status of Tenants, and Rights, Powers and Obligations of Landholders and Tenants—*contd.*

(*b*) RENT—*concld.*

Sale of raiyat's holding :		
Right of landholder to sell holding	Mad.Act1,1908,s.111	
Notice of intention to sell to be served on defaulter through Collector ; suit before Collector to contest right of sale	,,	ss.112to114.
Application to Collector for sale : period of limitation	,,	ss.114,115.
Sale of holding or portion sufficient to realise arrears and costs ; sale to be stopped on payment of arrears and costs : power to allow defaulter time to pay	,,	ss.116to124, 126,127,130, 133.
Rights of purchaser at sale	,,	s.125.
Charge on holding in favour of person interested therein paying arrears and costs to prevent sale	,,	s.128.
Deduction from rent when under-tenant pays arrears and costs to prevent sale	,,	s.129.
Setting aside of sale if arrears, costs and five per centum on purchase-money deposited with Collector within thirty days from sale	,,	s.131.
Sale in execution of decree for :		
Provisions applicable to	,,	ss.132,133.
See also (*a*), (*c*) *and* (*e*).		

(*c*) EJECTMENT AND RELINQUISHMENT.

Raiyat not to be ejected except in accordance with Act	,,	s.9.
Ejectment from old waste of raiyat not agreeing to pay enhanced rent	,,	ss.48(*2*),49.
,, of occupancy-raiyat for materially impairing of value of holding for agricultural purposes : relief where damage repairable or pecuniary compensation adequate	,,	ss.151,152.
,, of non-occupancy-raiyat	,,	s.153(am. Mad.Act4, 1909,s.8), ss.154,157.
Right of ejected raiyat in respect of crops and land prepared for sowing :	,,	ss.155,156.
Ejectment of tenant of private land for non-payment of arrears of rent : right of tenant to sue in Civil Court for recovery of possession	,,	ss.158to162.
,, of trespasser	,,	s.163.
Relinquishment of holding by raiyat	,,	ss.149,150.

(*d*) COMPENSATION FOR TENANTS' IMPROVEMENTS (MALABAR DISTRICT).

Definitions ; what to be deemed improvements	Mad.Act1,1900,ss.3,4.	
Compensation to be paid for improvements before ejectment ; right to remove structures, trees, etc., which are not deemed improvements	,,	ss.5,7.
Court to determine compensation due when ordering ejectment	,,	s.6.

LANDLORD AND TENANT—*contd.*

VIII.—MADRAS PRESIDENCY—*contd.*

A.—MADRAS PRESIDENCY (EXCEPT THE CITY OF MADRAS)—*contd.*

2. Status of Tenants, and Rights, Powers and Obligations of Landholders and Tenants—*contd.*

(*d*) COMPENSATION FOR TENANTS' IMPROVEMENTS (MALABAR DISTRICT)—*contd.*

Provision for appointment of assessors for estimating compensation	Mad.	Act I, 1900, s.8.
Principles for estimating compensation; tables of rates	,,	ss.9 to 18.
Avoidance of contracts barring rights under Act	,,	s.19.
Saving of rights under other laws	,,	s.20.

(*e*) MISCELLANEOUS.

Right of tenants to institute suit against landholder	Mad.	Reg. 4, 1822.
Mining rights, reservation of, on admitting person to occupation of raiyati land	Mad.	Act I, 1908, s.7.
Threshing floors, etc., and other lands set apart for communal use of villagers not to be assigned or used for any other purpose without written order of District Collector; eviction of persons wrongfully occupying such lands	,,	ss.20 to 22.
Land presumed to be raiyati land	,,	s.23.
Landholders' right to measure land	,,	s.43.
Damages payable for unauthorised occupation of raiyati land for agricultural purposes: recovery of, as arrears of rent	,,	ss.45, 163.
Record of-rights and settlement of rents:		
Power to order survey and preparation of record-of-rights; particulars to be recorded	,,	ss.164, 165.
Record-of-rights: preliminary publication: consideration of objections; final publication	,,	s.166.
Settlement of rents: preliminary publication: consideration of objections; amendment and confirmation of settlement-record: appeal to higher revenue-authority; incorporation of settlement-record with record-of-rights: final publication: civil suit for correction of settlement-record: grounds on which such suit may be instituted: decision of higher revenue-authority or Civil Court to be noted in and to form part of record	,,	ss.168 to 171, 173, 174.
Record-of-rights:		
Power of Board of Revenue to direct revision of	,,	s.172.
Correction of *bonâ fide* mistakes in	,,	s.175.
Presumption as to correctness of entries in and of rents settled	,,	ss.167, 176.
Settlement of rent when to take effect: restriction on enhancement of settled rent	,,	s.177.
Stay of proceedings in Civil or Revenue Court during preparation of record	,,	s.178.
Jurisdiction of Civil Courts barred in matters, other than rent, relating to record-of-rights: saving of suits for declaration of right	,,	s.179.
Recovery of expenses	,,	s.180.

LANDLORD AND TENANT—*contd.*

VIII.—MADRAS PRESIDENCY—*contd.*

A.—MADRAS PRESIDENCY (EXCEPT THE CITY OF MADRAS)—*contd.*

2. Status of Tenants, and Rights, Powers and Obligations of Landlords and Tenants —*concld.*

(e) MISCELLANEOUS—*contd.*

Record of landholders' private lands—

Power to order survey and record of landholders' private land	Mad.Act1,1908	s.182.
Power to ascertain and record whether land is landholder's private land, on application of landholder or occupant	,,	s.183.
Procedure: application of provisions of ss. 166, 167, 179, 180	,,	s.184.
Rules for determining what land is landholder's private land	,,	s.185.

3. Jurisdiction and Procedure.

Persons aggrieved by proceedings taken under Act may file suit for damages before Collector; saving of right to bring civil suit	,,	s.213.
Suits and applications within exclusive jurisdiction of Revenue Courts: bar to exercise of original jurisdiction by Civil Courts: decision of Revenue Court to be binding on Civil Court	,,	s.189(1)Sch. (Pt.Bam. Mad.Act4, 1909,s.10).
Place of institution of suits or proceedings under Act	,,	s.209.
Appeals and second appeals: period of limitation for	,,	ss.189(2),(3), 190.
Modifications of Code of Civil Procedure: power of High Court to make rules excluding or modifying portions of Code in its application to suits between landholder and raiyat	,,	ss.192,202.
Joinder of raiyats in suits for enhancement or reduction of rent; power to direct separate trial	,,	ss.193,198.
Payment into Court of money admitted to be due; power to fix amount payable; effect of payment	,,	ss.194to197.
Compromise of suit or application between landholder and raiyat	,,	s.199.
Provision as to parties in certain suits and proceedings where landholder in possession is not the owner	,,	s.200.
Certified copy of record-of-rights to be produced by plaintiff in certain cases: effect of failure: Court to have regard to entries in record-of-rights	,,	s.203.
Execution of decree for money passed by Revenue Court	,,	s.201.
Distribution of business and withdrawal and transfer of cases	,,	s.204.
Revision of proceedings of Revenue-officer	,,	s.205.
Appointment of Collectors and District Collectors; power to invest officers with powers of Collector in respect of suits, etc., under Act	,,	ss.206to208.

4. Miscellaneous.

Contract:

Restrictions on exclusion of Act by agreement	,,	ss.187,188.
Limitation in suits; appeals and applications; Indian Limitation Act how far applicable	,,	ss.210,211, Sch.(Pt.Bam.Mad.Act 4,1909,s.10).

LANDLORD AND TENANT—*contd.*

VIII.—MADRAS PRESIDENCY—*concld.*

A.—MADRAS PRESIDENCY (EXCEPT THE CITY OF MADRAS)—*concld.*

4. Miscellaneous—*contd.*

Penalties . . . . . Mad.Act1,1908,s.212.
Power to make rules . . . . . „ s.215.
Power to landholders to act through agent . . . . . „ s.214 (rep pt.Mad.Act4, 1909,s 9).

See also REGISTRATION OF LAND, III.

B.—CITY OF MADRAS.

See LAND-REVENUE, XIV.

IX.—PROVINCE OF AGRA.

1. Preliminary.

Act not to extend to certain Scheduled Districts or the Family Domains of the Maharaja of Benares, unless notified . . U.P.Act2,1901,s.1,Sch.I.
Definitions . . . . . „ ss.4,7,8,10,16.

2. Status of Tenants, and General Rights, Powers and Obligations of Landholders and Tenants.

Classes of tenants . . . . . U.P.Act2,1901,s.6.
(1) Permanent tenure-holders—
Intermediate holders holding permanent and transferable interest in land otherwise than under terminable lease from time of permanent settlement at same rate of rent to be called, and to be entitled to hold at that rate; entry at last revision of records to be conclusive evidence; exception . „ ss.7,9.
Interest of, heritable and transferable . . . . . „ s.20(1).
(2) Fixed rate tenants—
Tenants holding from time of Permanent Settlement at same rate of rent to be called, and to have right of occupancy at that rate; entry at last revision of records to be conclusive evidence; exception . . . . . „ ss.8,9.
Interest of, heritable and transferable . . . . . „ s.20(1)
Enhancement or abatement of rent of, only on the ground of increase or diminution of area of land . . . „ s.40.
Restrictions on ejectment of . . . . . „ s.57(a),(b),(c).
(3) Exproprietary-tenants:
Definition of: such tenants to have occupancy-right in sir-land and in land cultivated by him continuously for twelve years at reduced rate of rent: division of shares where a sharer only becomes an ex-proprietary tenant: restrictions on acquisition of occupancy-right . . . . . „ s.10.
Interest of, heritable; limitation to transferability; line of succession . . . . . „ ss.20(1),22.
Enhancement or abatement of rent of: power to decree progressive enhancement . . . . . „ ss.41,42,46.

LANDLORD AND TENANT—*contd.*

IX.—PROVINCE OF AGRA—*contd.*

2. Status of Tenants, and General Rights, Powers and Obligations of Landholders and Tenants—*contd.*

(3) Ex-proprietary-tenants—*contd.*

Restrictions on ejectment of		U.P.Act2,1901,s.57.
Specification of land in respect of which occupancy-right is created and fixing of rent payable therefor		U.P.Act3,1901,s.36.

(4) Occupancy-tenants—

Definition of		U.P.Act2,1901,s.16.
Acquisition of right of occupancy; continuance of existing rights of occupancy; period during which tenant may occupy land after decree for ejectment not to count for right of occupancy	,,	ss.11to17,78.
Bar to acquisition of right of occupancy in sir-land or in land being part of military encamping ground or acquired for public purpose	,,	s.11(*d*),(*e*).
Extinction of right of occupancy	,,	s.18.
Interest of, heritable; limitation to transferability; line of succession	,,	ss.20(*1*),22.
Enhancement or abatement of rent of; power to decree progressive enhancement	,,	ss.41,43,44,46
Restrictions on ejectment of	,,	s.57.

(5) Non-occupancy-tenants:

Who are	,,	s.10.
Interest of, heritable; limitation to transferability: line of succession	,,	ss.20(*1*),22.
,, thekadar heritable but not transferable	,,	ss.20(*2*),21.
Enhancement or abatement of rent of	,,	ss.47,48.
Restrictions or ejectment of: suit for ejectment of, when to be brought	,,	ss.57,58,63,67.
Obligation of, to deliver counterpart on receiving lease	,,	s.96.
Ejectment of, for refusing to accept lease and delivering counterpart.	,,	ss.58(*c*),63,69.
,, ,, refusing to agree to enhancement of rent; no ejectment if tenant agrees to decreed enhancement or if rent fair; right of tenant to continue to hold for seven years	,,	ss.67,68.
Rights on change of holding or variation of rent	,,	s.55.
Ejectment of tenants other than permanent tenure-holders; grounds of	,,	ss.57,58.
,, ,, for arrears of rent, by application to Court	,,	ss.59to62.
,, ,, for other grounds, by suit	,,	ss.63to70.
,, ,, enforcement of decree or order for	,,	ss.71to78.
,, ,, determination of compensation for growing crops	,,	ss.75to77.
,, ,, remedies for wrongful ejectment or upon reversal of decree or order for ejectment	,,	ss.79to82.

LANDLORD AND TENANT—*contd.*

IX.—PROVINCE OF AGRA—*contd.*

3. Rent.

Liability of tenant to pay rent; rent to be first charge on produce: saving of provisions of ss. 2 to 4 of Ben. Reg. 6, 1823, and s. 11 of Act 13, 1857 . . . . . U.P.Act2,1901,ss.33,34,119.

Presumption as to rent . . . . . „ s.35.

Consideration of caste or class of tenant in fixing rent . . „ s.37.

Cesses payable as rent, etc., to be recorded: bar to recovery of unrecorded cesses . . . . . U.P.Act3,1901,ss.56,86.

Penalty for exaction by landholder of anything in excess of rent U.P.Act2,1901,s.36.

Enhancement or abatement of rent: suits for, when to be brought and decrees for, when to have effect . . . . . „ ss.38,39.

Alteration of rent in case of new assessment of land-revenue; avoidance of lease on refusal to agree to alteration of rent . „ s.49.

Remission of rent by Court in case of diluvion, drought, etc. . „ s.50.

Remission or suspension of rent in case of remission or suspension of revenue . . . . . „ s.51. U.P.Act3,1901,ss.101, 234(*l*).

Settlement of rent: power to invest officer with power to settle and reduce or commute rent: exception of permanent tenure-holders and fixed rate tenants . . . . . U.P.Act2,1901,s.52.

Rent settled or commuted when to come into effect . . . „ s.52(*4*).

„ „ restriction on enhancement or abatement of . . . . . „ s.53.

„ „ effect of, in case of non-occupancy-tenant . . . . . „ s.54.

Power to enhance rent of non-occupancy-tenant in suit for ejectment . . . . . „ s.67.

Liability for rent or enhanced rent after surrender of holding . „ ss.83(*2*),84.

Determination of rent payable by ex-proprietary or occupancy tenant by enhancement, abatement, etc. . . . . U.P.Act3,1901,ss.87,90, 91.

Fixing of rent payable by proprietor of mahal attached, etc., under Ch. V or Ch. VIII of U. P. Act 3, 1901, as ex-proprietary tenant . . . . . U.P.Act3,1901,s.186.

Payment of, in instalments . . . . . U.P.Act2,1901,s.99.

Mode of payment of . . . . . „ s.100.

Appropriation of payment of; penalty for not duly crediting payment . . . . . „ ss.109,110.

Produce-rents:

Division or appraisement of produce:

Power to order officer to make: procedure . . . „ ss.105,106.

Rights and liabilities as to possession of crop . . . „ s.104.

Commutation of rent . . . . . „ ss.52to54. U.P.Act3,1901,ss.88to91, 104.

Receipts—

Tenant entitled to written receipt on payment . . . U.P.Act2,1901,s.107.

Particulars to be contained in; presumption of full payment when receipt does not contain substantially particulars required . . . . . „ s.108.

LANDLORD AND TENANT—*contd.*

IX.—PROVINCE OF AGRA—*contd.*

3. Rent—*contd.*

Receipts—*contd.*
Penalty for withholding receipt or not crediting receipts as requested by tenant . . . . . U.P.Act2,1901,s.110.

Deposit of rent:
Application to deposit rent in Court . . . . . „ ss.111,112.
Receipt given by Court to be valid acquittance . . . . „ ss.113,114.
Notification of receipt of deposit . . . . . „ ss.115,116.
Payment or refund of deposit by Court . . . . . „ s.117.
Bar to suit against Government . . . . . „ s.118.

Arrears of rent:
Ejectment for . . . . . „ ss.59to62.
Rent when deemed to be in arrears . . . . . „ s.101.
Interest on arrears . . . . . „ s.101.
Provisions for recovery of . . . . . „ s.102.
Penalties for extortion of payment by duress . . . . „ s.103.

Distraint:
Cases in which distraint may be made; what may be distrained . . . . . „ ss.119(2), 120,121.
Procedure for effecting distraint; distraint to be proportionate to arrear . . . . . „ ss.122,123.
Power to reap and preserve standing crop under distraint . „ s.124.
Resistance to distraint; power to apply to Court for assistance; penalty . . . . . „ ss.126,149.
Withdrawal of distraint on tender of arrears, etc., or furnishing of security . . . . . „ ss.127,143.
Application for sale of distrained property: distraint to cease if no application made within five days from date of distraint . . . . . „ ss.128,129.
Notice of sale to be served on defaulter and cultivator . . „ ss.130,131.
Suit to contest distraint; stay of sale, withdrawal of distraint on furnishing of security or where distraint groundless or vexatious; in other cases Court to determine amount due and authorise sale of distrained property . . „ ss.142to144.
Sale of property . . . . . „ ss.132to141, 144.
Procedure where demand, etc., paid before sale . . . . „ s.133(3).
Right under distraint to prevail over attachment by Court . „ s.148.
Right of under-tenant on whom distraint is levied by superior landholder . . . . . „ s.147.
Saving of suit for compensation for wrongful distraint or sale „ s.145.
Wrongful distraint; compensation and penalty in respect of . „ ss.142(5), 145,146,149.
Suit for, by taluqdars, etc. . . . . „ s.162.
Resumption or assessment to rent of land held under rent free grant: no limitation to suit under Act to assess to rent land held rent-free . . . . . „ ss.150to158.
Effect of payment of rent in good faith to third person . . „ s.198.
Distribution of rent when partition effected . . . . . U.P.Act3,1901,ss.128, 138.

LANDLORD AND TENANT—*contd.*

IX.—PROVINCE OF AGRA—*contd.*

4. Record-of-rights.

See LAND-REVENUE, XVI.

5. Miscellaneous Provisions.

Sub-letting		
Restrictions on	U.P.Act2,1901	ss.21,24 to26.
Effect of sub-lease	„	ss.27to30.
Secs. 24 to 30 not to apply to sub-leases by thekadars	„	s.23.
Division of tenancy or distribution of rent not binding on landholder without his consent	„	32.
Right of landholder to avoid illegal transfer or sub-lease of holding	„	1.
Ejectment on the ground of illegal transfer or sub-lease	„	ss.57(*d*),64, 66.
Improvements :		
Definition of	„	s.4(*12*).
Right to make :		
By landholder	„	ss.88,89,94.
By tenant ; compensation for	„	ss.90to93.
Enhancement of rent for	„	ss.42(*1*)(*b*), 43(*1*)(*c*).
Claim for, to be disposed of before ejectment	„	ss.61,70.
Compensation for, on wrongful ejectment	„	s.79(*1*)(*e*).
Surrender of holding : notice of surrender	„	ss.83to 86.
Abandonment of holding	„	s.87.
Suit for declaration of name of tenant and incidents of tenancy	„	s.95.
Leases and counterparts, in case of non-occupancy-tenants	„	s.96.
„ „ attestation of, before, Revenue Court or Revenue-officer when equivalent to registration	„	s.97
Measurements :		
Landholder's right to measure	„	s.98.
Contract and custom :		
Restriction on exclusion of Act by agreement	„	s.3.
Custom of taking caste or class of tenant into consideration in fixing rent how far given effect to	„	s.37.
Rights on change of holding or variation of rent	„	s.55.
Ejectment to be in accordance with Act only	„	s.56.
Profits of land : right to recover share of, from lambardar or co-sharer	„	ss.163to166.

6. Jurisdiction and Procedure.

Suits and applications within exclusive jurisdiction of Revenue Courts ; bar to exercise of original jurisdiction by Civil Courts	„	s.167,Sch.4.
Grades of Courts : Courts in which suits and proceedings to be instituted	„	ss.171to174.

LANDLORD AND TENANT—*contd.*

IX.—PROVINCE OF AGRA—*contd.*

6. Jurisdiction and Procedure—*contd.*

Appeal, review and revision	U.P.Act2,1901,	ss.175to185.
Transfer of cases	„	ss.186to191.
Place of sitting of Revenue Courts	„	s.192.
Modifications of Code of Civil Procedure	„	ss.193,199
Joint owners of property, etc., to act conjointly or by common agent: co-sharer refusing to join as plaintiff in a suit for money to be made defendant	„	s.194.
Joinder of tenants in suits for enhancement or abatement of rent of ex-proprietary or occupancy tenants	„	s.45.
Joinder of sub-lessee or transferee of tenant in suit for ejectment	„	s.64.
Defendant in suit for possession by tenant wrongfully ejected	„	s.81.
Relief against forfeiture	„	ss.65,69.
Question as to jurisdiction in respect of suit, appeal or application; power to refer to High Court in case of doubt: decision of Hight Court final	„	s.195.
Objection as to jurisdiction not to be entertained unless taken in first Court; procedure in Appellate Court in respect of such objection	„	ss.196,197.
Procedure in suits, etc., against tenant where defendant denies relationship of landlord and tenant between himself and plaintiff	„	ss.198to200.
Procedure in suits by taluqdar, assignee of revenue, lambardar or co-sharer in respect of arrears of rent of revenue or of share of profits	„	s.201.
Civil Court to refer to revenue Court defendant pleading that he holds as tenant: issue to be decided in accordance with decision of Revenue Court or against defendant failing to go to Revenue Court	„	s.202.

7. Supplemental.

Power of landholder to act through agent	„	s.5.
Limitation in suits, appeals and applications: Indian Limitation Act how far applicable	„	ss.152(2), 168,169.
Court-fees	„	s.170.
Joint owners of property to act conjointly or by common agent	„	s.194.
Rights of taluqdars, etc., assignees of revenue, lambardars, cosharers, etc., in respect of arrears of revenue or rent or share of profits:	„	ss.159to166, 201.
Power of Local Government to make rules	„	s.203.
Board of Revenue to make rules	„	s.204.

X.—OUDH.

1. Preliminary.

Definitions	Act22,1886,	ss.3,7A,12, 26,37,71,1071

LANDLORD AND TENANT—*contd.*

X.—OUDH—*contd.*

1. Preliminary—*contd.*

Restrictions on exclusion of Act by agreement in the case of tenants other than those having right of occupancy and sub-tenants . . . . . Act22,1886,s.4.

Ss. 4, 36 to 48 of Act not to apply to certain areas . . „ s.157,Sch.D.

2. Rights, Powers and Liabilities of Landlords, Under-Proprietors and Tenants.

Right of occupancy: what tenants have it . . . . Act22,1886,s.5.

„ „ power of landlord to confer . . . „ s.6.

„ „ loss of . . . . . „ s.7.

„ „ in sir-land of proprietor or under-proprietor on sale, etc., of proprietary or under-proprietary interest; fixing of rate of rent in such case . . . . „ s.7A. U.P.Act3,1901,ss.36,37.

Lease: tenant's right to; rate of rent to be entered in; landlord's right to counterpart . . . . . Act22,1868,ss.8to11.

Revenue or rent when deemed to be in arrear . . . . „ s.12.

„ „ deposit of, in Revenue Court, without suit; procedure thereupon; limitation of suits for balance . . . . . „ ss.14to16. Schs.A,B.

Rent; receipt to be given for . . . . . „ s.13.

„ compensation for illegal enforcement of payment . . „ s.17.

„ grounds for abatement of, by suit . . . . „ ss.18,29(4), 35B(2).

„ remission of, by order of Court . . . . . „ s.19.

„ proportionate reduction or remission of, when revenue assessment reduced, remitted or suspended . . U.P.Act3,1901,ss.101, 234(l).

„ payable in kind; division or appraisement of produce, on application to Revenue Court . . . . . Act22,1886,s.31.

„ enhancement of—

in case of occupancy-tenant . . . . . „ ss.33to 35.

„ „ ex-proprietary tenant . . . . „ ss.35A, 35B(1).

„ „ other tenants . . . . . „ ss.36to 46,51,67 to69,157, Sch.D.

„ „ land held at a favourable rate . . . „ ss.107A to107D, 107Gto 107K.

„ increase of rent where assessment of land-revenue increased on account of land added by alluvion . . U.P.Act3,1901,s.100.

„ alteration of rent on alteration of area by alluvion or diluvion in case of ex-proprietary tenant . . . Act22,1886,s.35B.

LANDLORD AND TENANT—*contd.*

X.—OUDH—*contd.*

2. Rights, Powers and Liabilities of Landlords, Under-Proprietors and Tenants—*contd.*

Rent: determination of rent payable by ex-proprietary or occupancy tenant by enhancement, abatement, etc.	U.P.Act3,1901,ss.87,90,91.
,, interest on arrears	Act22,1886,ss.141,142(*3*).
,, fixing of rent payable by all except occupancy-tenants on conclusion of settlement of revenue	U.P.Act3,1901,s.79.
,, amount payable by tenant succeeding to vacant holding; exception as to sir-land and land comprised in thika, mortgage or sub-tenancy	Act22,1886,ss.47to50,67,68,157,Sch.D.
,, amount payable for land occupied without consent of landlord: tenant not to have privileges conferred by Act	,, s.127.
,, proprietor's lien for rent payable by under-proprietor	,, s.154.
,, resumption or assessment to rent of land held under rent-free grants	,, 107Ato107K.
,, distribution of, when partition effected	U.P.Act3,1901,ss.128,138.
,, distress and sale for recovery of arrears	Act22,1886,ss.72to107,Sch.C.
Cesses; list of valid cesses to be prepared; bar to recovery of unrecorded cesses after preparation and recording of list	U.P.Act3,1901,s.86.
Commutation of rent	,, ss.88to91,104.
Fixing of rent payable by proprietor or under-proprietor as ex-proprietary tenant of mahal attached, farmed, etc.	,, ss.186,187.
Relinquishment or abandonment of holding	Act22,1886,ss.20,21.
Improvement; definition of	,, s.26.
Improvement by tenant:	
Compensation for, before ejectment; landlord's consent or Deputy Commissioner's permission required to improvements after commencement of Act; registration of outlay on improvement; exception as to sir-land and land comprised in thika, mortgage or sub-tenancy	,, ss.22to25,67,68.
Compensation for, when tenant refuses to accept enhancement of rent and vacates holding	,, ss.46,157,Sch.D.
,, ,, payable to heir of deceased tenant	,, ss.48,157,Sch.D.
,, ,, how estimated and paid	,, ss.27,28.
Improvement by landlord: consent of tenant when required; tenant when entitled to abatement of rent	,, s.29.
,, ,, enhancement of rent for	,, s.50.
Landlord's right to enter land for purpose of survey or measurement	,, s.30.
Ejectment of tenant's holding on special terms, to be by decree only	,, s.52.
,, of other tenants by notice, by application to Deputy Commissioner or by suit	,, ss.53to62,69.
,, time for	,, ss.63,64.
,, determination of compensation for improvements	,, ss.57,58,65.

LANDLORD AND TENANT—*contd.*

X.—OUDH—*contd.*

2. Rights, Powers and Liabilities of Landlords, Under-Proprietors and Tenants—*concld.*

Ejectment compensation for growing crops	Act22,1886,	s.66.
Rights conferred on tenants by ss. 24,36 to 39 and 45 to 48—		
not to accrue to cultivators of sir-land	,,	s.67.
not to be acquired in respect of lands held in thika, mortgage or sub-tenancy	,,	s.68.
Lease for eight years or upwards: enhancement and ejectment in case of tenant having	,,	s.69.
Change in rent or area of holding to be entered in 'patta' and counterpart thereof	,,	s.70.

3. Jurisdiction and Procedure.

Bar to jurisdiction of Civil Courts in certain cases	,,	s.108.
Grades of Revenue Courts	,,	s.109.
Place of sitting of Revenue Courts	,, Act20,1890,	s.128. s.63.
Powers of officers, and conferment of powers on them	Act22,1886,	ss.110 to 115.
Limitation of suits	,,	ss.129 to 134.
Limitation of suits for resumption, assessment or enhancement of rent of land held rent-free or at favourable rates	,,	ss.107(*c*)(2),107E.
Appeals to Revenue Courts; limitation	,,	ss.116,118
Appeals from decrees, etc., in suits for resumption, assessment or enhancement of rent of land held rent-free or at favourable rate	,,	s.107K.
Appeal to District Judge and Judicial Commissioner; limitation; procedure; second appeal	,,	ss.119,119A, 119B,119C.
Appeal from order of Deputy Commissioner acting as such	,,	s.120.
Power for Board of Revenue to review its own orders; limitation of applications for review	,,	s.120.
Distribution of business by Deputy Commissioner	,,	s.121.
Transfer of suits and other proceedings	,,	ss.122,123.
Subordination of Revenue Courts	,,	s.124.
Reference by Civil or Revenue Court to Judicial Commissioner of question as to jurisdiction	,,	s.124A.
Procedure in case of objection that suit was instituted in wrong Court	,,	ss.124B,124C
Suits may be brought by or against agents or tahsildars of estates held under direct management	,,	s.125.
Application of Code of Civil Procedure to suits and other proceedings under Act	,,	s.135.
Notices; service of	,,	s.136.
Plaints; additional particulars to be stated in	,,	s.137.
Third person claiming rent to be made a party to suit	,,	s.138.
Summons in certain cases to be for final disposal of suit	,,	s.139.
Restriction on set-off in suit for arrears of rent	,,	s.140.
Payment of money into Court by defendant	,,	ss.142,143.

LANDLORD AND TENANT—*contd.*

X.—OUDH—*concld.*

3. Jurisdiction and Procedure—*contd.*

Power of Court to make local investigation instead of issuing commission; application of Code of Civil Procedure, s. 393[1] — Act22,1886,s.144.

Decree; execution of — ,, ss.145,146,148, 151,152.

,, for enhancement of rent to state date from which enhancement takes effect — ,, s.147.

,, for delivery of patta or counterpart: decree to specify certain particulars; grant of patta or counterpart by Court — ,, ss.149,150.

Right of pre-emption at execution-sale — ,, s.155.

Disposal of appeals pending when Act 20, 1890, Part II, came into force — Act20,1890,s.54.

4. Miscellaneous.

Sharer to exercise certain powers only through general manager or lambardar or pattidar — Act22,1886,s.126.

Registration: certain incumbrances invalid in case of sale in execution of decree, unless registered — ,, s.153.

Registration of certain pattas not required — ,, s.156.

Power of Board of Revenue to make rules — ,, s.158.

XI.—PUNJAB AND NORTH-WEST FRONTIER PROVINCE.

A.—ORDINARY TENANCIES.

1. Preliminary.

Act 16, 1887, does not extend *proprio vigore* to Hazara District — Act16,1887,s.1.

,, applied to Hazara District with modifications in ss. 5, 10, 11, 22, 24, 76 and addition of s. 27A — (Haz.)Reg.13,1887,s.3. Reg.3,1904.

Definitions — Act16,1887,s.4.

Definition of "legal practitioner" in s. 4 of Act 16, 1887, amended in N. W. F. Province — Reg.7,1901,s.3,Sch.I.

2. Right of Occupancy.

What tenants have right — Act16,1887,ss.5,6. (Haz.)Reg.13,1887,s.3(*1*).

Right retained when tenant exchanges land for other land belonging to same landlord — Act16,1887,s.7.

Saving of power to establish right in unspecified cases — ,, s.8.

Right not acquirable by mere lapse of time — ,, s.9.

Right not to be acquired by joint owner in land held in joint ownership — ,, s.10. (Haz.)Reg.13,1887,s.3(*2*).

Continuance of rights held at commencement of Act — Act16,1887,s.11. (Haz.)Reg.13.1887,s.3(*3*).

Right declared by s. 5:

Private sale, gift or mortgage of; landlord's right of pre-emption — Act16,1887,ss.53,54.

[1] The Code of Civil Procedure (Act XIV of 1882) has been repealed by Act 5, 1908.

LANDLORD AND TENANT—*contd.*

XI.—PUNJAB AND NORTH-WEST FRONTIER PROVINCE—*contd.*

A.—ORDINARY TENANCIES—*contd.*

2. Right of Occupancy—*contd.*

Application of provisions of Act 13, 1900 . . . . . (Punj.)Act13,1900,s.2A (add.P.Act1,1907,s.3).

Sale of, in execution of decree or order of Court; landlord's right of pre-emption . . . . . Act16,1887,s.55.

Right acquired otherwise:

Not to be attached or sold under decree or order of Court, and not to be transferred by private contract without previous consent of landlord . . . . . ,, s.56.

Right and liabilities of transferee of . . . . . ,, s.57.

Power of tenant having right of occupancy to sublet land; joint liability of tenant and sub-lessee . . . . . ,, s.58.

Succession to; limit to term of transfer by widow . . . ,, s.59.

Transfers unlawfully made are voidable at instance of landlord . ,, s.60.

Partition of tenancy in which right of occupancy subsists. [*For details, see* LAND-REVENUE, XV, 4 (*e*)] . . . . . Act17,1887,ss.111to135, 158(xvii),(xviii).

Nullity of agreements overriding provisions of Act as to acquisition of . . . . . Act16,1887,s.110.

Saving of entries in settlement record as to letting or under-letting of land or alienation of or succession to land . . . ,, s.112.

As to loss of, *see also below*, 4.

3. Rent.

(*a*) *Generally.*

Rent the first charge on produce of land; respective rights of landord and tenant as to produce . . . . . ,, s.12.

Commutation and bar to enhancement . . . . . ,, s.13.

Saving of entries in settlement-record as to commutation of rent or taking of rent by division or appraisement of produce . ,, s.112.

Payment to be made for land occupied without consent of landlord . . . . . ,, s.14.

Tenant not bound to pay his rent in shares to different landlords ,, s.15.

Presumption against tenant removing produce so as to prevent division or appraisement, or dealing with produce contrary to established usage . . . . . ,, s.16.

Division or appraisement of produce by referee; appointment of assessors; procedure of referee; power of referee and assessors to enter land; order by Revenue-officer on receipt of referee's record . . . . . ,, ss.17to19.

Deposit of money-rent with Revenue-officer, for payment to landlord . . . . . ,, ss.31,32.

Recovery of rent from produce attached by Revenue-officer . ,, s.33.

Avoidance of leases or agreements on expiry of term for which land-revenue was assessed . . . . . ,, s.34(*1*).

Agreements made for term of assessment when to continue until revised assessment takes effect . . . . . ,, s.34(*2*).

Power to make rules as to payment of rent . . . . . ,, s.106.

Partition not to affect joint liability for rent, except with express consent of landlord . . . . . Act17,1887,s.110(*2*).

LANDLORD AND TENANT—*contd.*

XI.—PUNJAB AND NORTH-WEST FRONTIER PROVINCE—*contd.*

A.—ORDINARY TENANCIES—*contd.*

3. Rent—*contd.*

(*b*) *Enhancement and Reduction of Rents.*

Bar to enhancement in certain cases		Act16,1887,s.13.
Enhancement and reduction of produce rent paid by tenant having right of occupancy		,, s.20.
Enhancement of cash-rent of tenant having right of occupancy		,, s.22. (Haz.)Reg.13,1887,s.3(*4*).
Reduction of cash-rent of tenant having right of occupancy		Act16,1887,s.23.
Enhancement or reduction by Revenue Court of rent of tenant having right of occupancy; bar to institution of fresh suit for term of years		Act16,1887,s.24[am.in Haz.Reg.13,1887,s.3(*5*)].
Enhancement or reduction of rent by Revenue Court—		
limit to		,, s.25.
when to take effect		,, s.26.
Enhancement of rent of tenant having right of occupancy in consequence of improvements by landlord; reduction of rent when improvement ceases to exist		,, s.62.
Nullity of agreements overriding provisions of Act as to reduction of rent or enhancement of rent of tenant having right of occupancy		,, s.110.
Saving of entries in settlement-record as to enhancement or abatement of rent of tenant having right of occupancy		,, s.112.

(*c*) *Other Alterations of Rents.*

Adjustment of rents expressed in terms of the land-revenue		,, ss.27,27A(addedforHaz., Reg.3,1904,s.2).
Alteration of rent on alteration of area		,, s.28.
Remission of rent, on ground of diminution of area or produce, by Court decreeing arrears		,, s.29.
Remission or suspension of rent by Revenue-officer when land-revenue remitted or suspended; bar to jurisdiction of Civil Courts		,, s.30(am.in Pun.P.Act1, 1906,ss.3to5).
Nullity of agreements overriding provisions of Act as to remission or suspension of rent		,, s.110.

4. Cessation of Tenancy.

Relinquishment, without notice, by tenant for a fixed term		,, s.35.
,, after notice, by other tenants		,, ss.36,52.
,, consent of landlord required to relinquishment of part only of tenancy		,, s.37.
Extinguishment of right of occupancy—		
when tenant fails for more than one year to cultivate and pay rent		,, s.38.
when tenant leaves no successor		,, s.59(*4*).

LANDLORD AND TENANT—*contd.*

XI.—PUNJAB AND NORTH-WEST FRONTIER PROVINCE—*contd.*

A.—ORDINARY TENANCIES—*contd.*

4. Cessation of Tenancy—*contd.*

Ejectment: liability to, of—
tenant having right of occupancy . . . Act16,1887,s.39.
„ not holding for fixed term . . . „ s.40.
other tenants . . . . . „ s.41.
„ cases in which tenant may be ejected without decree for ejectment; ejectment in such cases to be made by Revenue-officer or Revenue Court; procedure . . . . . „ ss.42to45,46, 52.
„ time for . . . . . „ ss.47,52.
„ not to be decreed if injury remedied or compensation paid by tenant . . . . . „ s.48.
„ rights of ejected tenants in respect of crops and land prepared for sowing . . . . . „ ss.49,74.
„ right of tenant to institute suit in case of wrongful dispossession or ejectment . . . . „ s.50.
„ bar of relief by suit under Specific Relief Act, 1877, s. 9 . . . . . „ s.51.
„ nullity of entries in record-of-rights or agreement inconsistent with provisions of Act as to . . „ s.109.

5. Improvements and Compensation.

Improvements by landlord on tenancy of tenant having right of occupancy:
Not to be made without previous permission of Collector . „ s.61.
Enhancement of rent in consequence of; reduction of rent when improvement ceases to exist . . . . . „ s.62.
Improvements by tenant:
Right of tenant having right of occupancy to make improvements . . . . . „ s.63.
Other tenants may make improvements with landlord's assent . . . . . „ s.64.
Improvements made before commencement of Act when deemed to be made under Act . . . . . „ s.65.
No ejectment or enhancement until tenant has received compensation for improvements . . . . . „ s.68.
No compensation for improvements begun in anticipation of ejectment . . . . . „ s.66.
Tender of lease for 21 years to tenant to be a bar to right to compensation . . . . . „ s.67.
Compensation for disturbance of tenant who has cleared and cultivated waste-land . . . . . „ s.69.
Determination of compensation by Revenue Courts and officers; stay of proceedings till compensation paid . . . . „ ss.70,71.
Ejectment not invalidated by omission to pre-determine compensation, but amount may be determined afterwards . . „ s.74.
Matters to be considered in assessment of compensation for improvements . . . . . „ s.72.

LANDLORD AND TENANT—*contd.*

XI.—PUNJAB AND NORTH-WEST FRONTIER PROVINCE—*contd.*

A.—ORDINARY TENANCIES—*contd.*

5. Improvement and Compensation—*contd.*

Form of compensation	Act	16, 1887, s.73.
Nullity of entries in record-of-rights and agreements inconsistent with provisions of Act as to tenant's improvements or compensation	,,	ss.109, 110.

6. Jurisdiction and Procedure.

Revenue-officers having jurisdiction under Punjab Land-revenue Act, 1887, to act under Tenancy Act	,,	s.75(am. in N.W.Fr., Reg. 7, 1901, s.3, Sch. I).
Applications and proceedings cognizable by Revenue-officers; bar to jurisdiction of Courts	,,	s.76(am. in Haz. Reg. 3, 1904, s.2).
Revenue Courts, and suits cognizable by them; bar to jurisdiction of other Courts	,,	s.77.
[1]S. 424 of Code of Civil Procedure, and s. 38 of Punjab Municipal Act, 1891 (notice of suit against public officer), not to apply to suit cognizable by Revenue Court	,,	s.94.
Administrative control over Revenue-officers and Revenue Courts	,,	ss.78(am. in N.-W.Fr., Reg. 7, 1901, s.3, Sch. I), s.79.
Appeal, review and revision; court-fees	,,	ss.80 to 84(ss. 80, 81, 84 am. in N.-W.Fr., Reg. 7, 1901, s.3, Sch. I).
Procedure of Revenue-officers; appearances before them; costs	,,	ss.85 to 87.
Procedure of Revenue Courts	,,	s.88.
Power of Revenue-officer or Revenue Court to summon persons; service of summons	,,	ss.89, 90.
Service or publication of notices, proclamations, etc.	,,	ss.91, 92.
Joinder of tenants as parties to proceedings relating to rent	,,	s.93.
Payment into Court of money admitted to be due to third person	,,	s.95.
Execution, against moveable property or any ungathered crops, of decree for rent	,,	s.96.
Prohibition of imprisonment in execution of decree for arrears of rent	,,	s.97.
Power of Revenue Court to refer party to Civil Court	,,	s.98.
Power of Civil or Revenue Court to refer to Chief Court question as to jurisdiction	,,	s.99.
Power of Chief Court to validate proceedings had in Civil or Revenue Court under mistake as to jurisdiction	,,	s.100.

7. Miscellaneous.

Nullity of certain entries in record-of-rights, and saving of certain other entries	,,	ss.109, 112.

[1] The Code of Civil Procedure (Act XIV of 1882) has been repeale by Act 5, 1908.

LANDLORD AND TENANT—*concld.*

XI.—PUNJAB AND NORTH-WEST FRONTIER PROVINCE—*concld.*

A.—ORDINARY TENANCIES—*concld.*

7. Miscellaneous—*contd.*

Nullity of certain agreements contrary to Act; saving of other agreements in writing	Act 16, 1887, ss. 110, 111.
Discharge of duties of Collector dying or being disabled	,, s. 103.
Retention of powers of Revenue-officer on transfer	,, s. 104.
Conferment of powers of Revenue-officer or Revenue Court	,, s. 105.
Place of sitting of Revenue-officers and Revenue Courts	,, s. 101.
Holidays	,, s. 102.
Rules: general power of Financial Commissioner to make	,, s. 106.
,, sanctioning of; and publication of, in draft	,, ss. 106(3), 107.
Powers of Financial Commissioner exerciseable from time to time	,, s. 108.
Exercise of functions of Financial Commissioner and Commissioner by Revenue Commissioner in N.-W. Fr.	Reg. 7, 1901, s. 6(2).

B.—GOVERNMENT TENANCIES.

Power to apply Act to any tract of land the property of Government	Act 3, 1893, s. 3.
,, to issue statement of conditions on which Government is willing to grant land in such tract to tenants	,, s. 4.
Maintenance of register of such tenancies; effect of registration	,, ss. 5 to 7.
Restrictions on alienation of rights and interests in such tenancies	,, s. 8.
Recovery of Government dues in respect of such tenancies	,, s. 9.

LANDLORD AND TENANT PROCEDURE ACT, 1869 (*See* LANDLORD AND TENANT, II) — Ben. Act 8, 1869.

LAND PRESERVATION (CHOS.) ACT (PUNJAB), 1900 — P. Act 2, 1900.

LAND PRESERVATION.

Definitions	P. Act 2, 1900, s. 2
Power of Local Government to notify arrears requiring provisions for better preservation and protection	,, s. 3.
,, of Local Government to regulate, restrict or prohibit certain matters relating to the clearing and cultivation of land, quarrying of stone, cutting, boring, removing, etc., of trees or forest-produce, pasturing cattle, etc., in notified areas; compensation; extinction of private rights exercise of which is permanently prohibited	,, ss. 4 to 7 (s. 5, am. P. Act 1, 1905, s. 2), s. 15(4).
,, of Local Government to declare bed of *chos* to be vested permanently or temporarily in Government in certain cases; power to fix area so vested and take possession; extinguishment or suspension of private rights; bar to claim for compensation; disposal of beds permanently vested in Government; ascertainment of price	,, ss. 8 to 12.
,, to enter upon, survey, demarcate boundaries, etc., of land or beds	,, s. 13.
Inquiry into claims and award of compensation; effect of award	,, ss. 14, 15.

LAND PRESERVATION—*contd.*

Appeal, review and revision	P.Act2,1900,s.18.
Record-of-rights in respect of notified areas	,, s.16.
Penalties	,, s.19.
Application of provisions of ss. 52 to 61, 63 (excluding last sentence), 64 to 67 and 72 of Indian Forest Act, 1878	,, s.20.
Notices, orders, proclamations, etc., how served or made	,, s.17.
Power to make rules	,, s.22.
Bar of suit against Government or public servant	,, s.21.

LAND RATE, LOWER BURMA. *See* CAPITATION TAX OR LAND RATE IN LIEU THEREOF.

LAND RECORDS MAINTENANCE ACT, 1895 (*See* LANDLORD AND TENANT, III, 1V; REGISTRATION OF LAND) . . . Ben.Act3,1895.

LAND REGISTRATION ACT, 1876 (*See* LAND-REVENUE, III 4, V; REGISTRATION OF LAND) . . . . . Ben.Act7,1876.

LAND REGISTRATION ACT (MALABAR), 1895 (*See* LAND-REVENUE, XIII, 4; REGISTRATION OF LAND) . . . Mad.Act3,1896.

LAND-REVENUE ACT (BOMBAY CITY), 1876	Bom.Act2,1876.
,, ,, (CENTRAL PROVINCES), 1881	Act18,1881.
,, ,, ,, ,, 1889	Act16,1889.
,, ,, (PUNJAB), 1887	Act17,1887.
,, CODE (BOMBAY), 1879	Bom.Act5,1879.
,, REGULATION (BENGAL) 1793 [1]	Ben.Reg.2,1793.

LAND-REVENUE.

1793. Ben. Reg. 2 (Revenue-officers; Settlement; Collection: Bengal and Assam).
,, Ben. Reg. 8, except ss. 49 to 55 and 64 to 66 (Settlement and Assessment: Bengal and Assam).
,, Ben. Reg. 19 (Revenue-free grant; Assessment: Bengal).
,, Ben. Reg. 37 (Revenue-free grants; Assessment: Bengal).
1794. Ben. Reg. 3, s. 13 (Arrears: Bengal).
1800. Ben. Reg. 8, s. 19 (Registration; Assessment; Bengal).
1801. Ben. Reg. 1, ss. 10, 14 (Sales for arrears; Irregular separation of taluqs: Bengal).
1803. Mad. Reg. 1 (Board of Revenue).
,, Mad. Reg. 2 (Collectors, etc).
1804[2] Mad. Reg. 5, s. 14 (*4*) (Recovery of arrears, Madras Presidency).
1805. Ben. Reg. 12 (Settlement, etc., Cuttack).
1812. Ben. Reg. 5, ss. 24, 25 (Arrears: Bengal).
,, Ben. Reg. 18, s. 2 (Apportionment: Bengal).
1814. Ben. Reg. 29 (Ghatwali Mahals, Beerbhoom).
1816. Ben. Reg. 5, ss. 5, 6 (Kanungos: Bengal).
1817. Mad. Reg. 8, s. 9 (Arrears).
1819. Ben. Reg. 1, s. 4 (*1*) (Kanungos: Bengal).
,, Ben. Reg. 2 (Revenue-free grants; Assessment: Bengal).
1821. Ben. Reg. 4 (Revenue-officers; Districts; Arrears: Bengal).
1822. Ben. Reg. 3 (Board of Revenue; Settlements: Bengal.)
,, Ben. Reg. 7 (Revenue-officers; Settlement: Collection of Land-revenue: Bengal).
,, Ben. Reg. 11, s. 36 (Khas management: Bengal).
1825. Ben. Reg. 9 (Settlement, etc., Bengal).
,, Ben. Reg 13 (Revenue-free grants, Bengal).
,, Ben. Reg. 14 (Revenue-free grants, Bengal).
1828. Ben. Reg. 3 (Special Commissioners; Assessment; Revenue-free grants: Bengal).

[1] This short title was given by Act 5, 1897, s. 4.
[2] Rep., except in Scheduled Districts, by Mad. Act 1, 1902; not indexed.

LAND-REVENUE—*contd.*

1828. Ben. Reg. 4 (Settlement, Bengal).
,, Mad. Reg. 7, s. 3 (Assistant Collectors, Madras Presidency).
1829. Ben. Reg. 1 (Commissioners; Board of Revenue; Divisions and Districts: Bengal).
1831. Mad. Reg. 10, s. 2 (*1*) (Recovery of arrears, Madras Presidency).
1833. Ben. Reg. 9 (Settlement; Accounts; Deputy Collectors: Bengal and North-Western Provinces).
1836. Act 21 (Districts; Bengal).
1838. Act 16 (Suits, Bombay Presidency).
1839. Act 7, ss. 2, 3, 5, 6 (Arrears, Madras Presidency).
1841. Act 12 (Arrears, Bengal).
1847. Act 9, ss. 1, 5, 6, 9 (Alluvion, etc., Bengal).
1849. Act 10 (Board of Revenue, Madras).
1850. Act 23 (Land-revenue, Calcutta).
,, Act 44 (Board of Revenue, Bengal).
1851. Act 12 (Land-revenue, City of Madras).
1852. Act 11 (Revenue-free lands: Bombay Presidency, except City of Bombay).
1856. Act 18, s. 3 (Deputy Collector, Calcutta).
1857. Act 7, ss. 1, 3, 6 (Deputy Collectors, Madras Presidency).
1858. Act 31 (Settlement of alluvial land, Bengal).
1859. Act 11, except ss. 38 to 51 (Separate Accounts; Arrears: Bengal).
1862. Ben. Act 3, s. 3 (Fees, Bengal).
,, Ben. Act 7, s. 2 (Revenue-free grants, Bengal).
,, Mad. Act 4 (Inam Lands, Madras Presidency).
1863. Bom. Act 2 (Revenue-free lands; Bombay Presidency, except City of Bombay).
,, Bom. Act 7 (Revenue-free lands: Bombay Presidency, except City of Bombay).
1864. Ben. Act 4 (Districts, Bengal).
Mad. Act 2 (Recovery of revenue).
1865. Bom. Act 1, s. 37 (Leases to Khots).
,, Mad. Act 1 (Limits of Districts).
1866. Act 26 (Sub-settlement, Oudh).
,, Mad. Act 4 (Inam Lands, Madras Presidency).
1867. Mad. Act 6 (Land-revenue, City of Madras).
1868. Ben. Act 3 (Limitation of Appeals, Bengal).
,, Ben. Act 7 (Arrears, Bengal).
1869. Mad. Act 3 Summoning of witnesses).
,, Mad. Act 8 (Inam Lands, Madras Presidency).
1871. Act 23, s. 7 (Suits for Inam Lands, Madras Presidency).
1872. Reg. 3, ss. 3, 5, 9 to 17, 23 to 26 (Settlement, Santhál Parganas).
1874. Act 15, ss. 4 to 7 (Laws Local Extent).
,, Reg. 7 (Punjab Frontier).
,, Reg. 9, ss. 10, 11, 13, 14 (Laws, Arakan Hill Districts).
1876. Act 2, ss. 1, 3, 23 to 33, 35 to 38, 41 to end (Land and Revenue, Lower Burma).
1876. Act 10 (Suits in Civil Courts, Bombay Presidency).
,, Ben. Act 7, ss. 69 to 74 (Separate Accounts; Arrears: Bengal).
,, Bom. Act 2, ss. 3 to 23, 30 to end (Land-revenue, Bombay City).
,, Mad. Act 1, ss. 1 to 4, 7, 8 (Assessment).
1877. Reg. 2, ss. 2, 37 to 40, 57 to 100, 106 to end (Land and Revenue, Ajmere).
1879. Ben. Act 9, ss. 23 to 26 (Recovery of arrears, Bengal and Assam).
,, Bom. Act 5, ss. 3 to 36, 45 to 52, 54 to 56, 58, 59, 61, 62, 75 to 81, 88 to 125, 136 to 218 (Land-revenue; Bombay Presidency, except City of Bombay).
1880. Bom. Act 1, ss 1, 3, 4, 16 to 30, 32, 36 to 40 (Khots).
1881. Act 18 (Land-revenue, Central Provinces).
1883. Act 19, s. 11 (Loans).
1885. Act 7, s. 2 (Panch Mahals).
1886. Act 2, s. 48 (Income-tax).
,, Reg. 1, ss. 1 to 3, 17 to end (Land and Revenue, Assam).
1887. Act 16, ss. 27, 109, 111, 112, Agricultural Tenancies, Punjab).
,, Act 17 (Land-revenue, Punjab).
1888. Bom. Act 6 (except s. 34) (Gujarat Taluqdars).

LAND-REVENUE—*contd.*

1889. Act 16, s. 40 (Land-revenue, Central Provinces).
,, Reg. 3, ss. 4 to 21, 27 to 30, 37 to end (Land and Revenue, Upper Burma).
1890. Act 1 (Revenue Recovery, British India generally),
,, Act 20, s. 11 (United Provinces).
1893. Mad. Act 5 (Summoning of witnesses).
1894. Mad. Act 1 (Board of Revenue).
,, Reg. 1, s. 3 (Laws, Angul District).
1896. Mad. Act 1 (Malabar and South-East Wynaad).
,, Mad. Act 3, ss. 13, 15, 17 (Recovery of Revenue, Malabar and South-East Wynaad).
1897. Ben. Act 5, s. 16 (Partition of Estates).
1898. Act 11, s. 98 (Tenancy, Central Provinces).
,, Act 13, s. 4 (Laws, Burma).
,, Bur. Act 4, ss. 1, 2, 4, 22 to 26, 36, 38 to 46 (Land, Lower Burma Towns and Villages).
1899. Reg. 1 (Land-revenue, Coorg).
1900. Reg. 1, s. 18 (2) (Chittagong Hill Tracts).
,, Reg. 6, s. 5 (District Fund, Coorg).
1901. Reg. 7, ss. 2, 3, 6, 93 (Laws, N.-W. Fr.).
,, U. P. Act 2, ss. 159 to 162 (Tenancy, Agra).
,, U. P. Act 3 (Land-revenue, U. P.).
,, Bom. Act 6, s. 5 (Land-revenue Amendment).
1902. Reg. 4 (Teri Dues).
1903. Bom. Act 4, s. 13 (Land, Record-of-Rights).
,, U. P. Act 2, s. 16 (Alienation of Land, Bundelkhand).
1904. Act 7, s. 8 (Ancient Monuments).
,, Ben. Act 3, ss. 33, 34 (Settled Estates).
,, U. P. Act 3, s. 15 (Benares Family Domains).
1905. Bom. Act 2, s. 2 (Taluqdars, Gujarat).
,, Act 7 (Laws, Bengal and Assam).
1908. Act 5, ss. 4, 5 (Civil Procedure).

I.—GENERALLY.

II.—AJMERE . . . . . 1. Preliminary. 2. Assessment of land-revenue. 3. Settlement-record. 4. Collection of land-revenue. 5. Subordinate Officers. 6. Miscellaneous.

III.—BENGAL (EXCEPT CALCUTTA) . 1. Preliminary. 2. Revenue-authorities. 3. Settlement, and Assessment of land-revenue. (*a*) SETTLEMENT GENERALLY. (*b*) ASSESSMENT GENERALLY. (*c*) REVENUE-FREE GRANTS. (i) *Non-badshahi lakhiraj grants.* (ii) *Badshahi lakhiraj grants.* (iii) *Grants for holding lands under tenures limiting the Government demand.* (iv) *Miscellaneous.* 4. Collection of land-revenue. 5. Miscellaneous.

IV.—CALCUTTA.

LAND-REVENUE—*contd.*

V.—EASTERN BENGAL AND ASSAM

A.—GENERALLY.
1. Preliminary.
2. Revenue-authorities.
3. Settlement, and Assessment of land-revenue.
(*a*) SETTLEMENT GENERALLY.
(*b*) ASSESSMENT GENERALLY.
(*c*) REVENUE-FREE GRANTS.
(i) *Non-badshahi lakhiraj grants.*
(ii) *Badshahi lakhiraj grants.*
(iii) *Grants for holding lands under tenures limiting the Government demand.*
(iv) *Miscellaneous.*
4. Collection of land-revenue.
5. Miscellaneous.

B.—ASSAM.
1. Preliminary.
2. Revenue, Settlement and Survey Officers.
3. Settlement.
(*a*) GENERAL.
(*b*) SURVEY AND DEMARCATION OF LAND.
(*c*) ASSESSMENT OF LAND-REVENUE.
(*d*) RECORD-OF-RIGHTS.
(*e*) MISCELLANEOUS.
4. Revenue Administration.
(*a*) COLLECTION OF LAND-REVENUE AND SUBSTITUTED TAXES.
(*b*) RECORDS.
(*c*) PARTITION AND UNION OF REVENUE-PAYING ESTATES.
(*d*) MISCELLANEOUS.
5. Miscellaneous.

VI.—BOMBAY PRESIDENCY

Suits in Civil Courts.

VII.—BOMBAY PRESIDENCY (EXCEPT THE CITY OF BOMBAY)

A.—GENERALLY.
1. Preliminary.
2. Revenue-officers and Survey-officers.
3. Assessment of land-revenue.
(*a*) GENERALLY.
(*b*) REVENUE-FREE LANDS.
4. Revenue-survey and settlement.
5. Revenue-administration.
(*a*) COLLECTION OF LAND-REVENUE.
(*b*) PARTITION.
(*c*) BOUNDARIES.
(*d*) MISCELLANEOUS PROVISIONS.
6. Miscellaneous.

B.—KHOTS.

C.—GUJARAT TALUQDARS.
1. Preliminary.
2. Survey and Settlement.
3. Assessment and Collection of land-revenue.
4. Partition.
5. Miscellaneous.

LAND-REVENUE—*contd.*

VIII.—BOMBAY CITY
1. Preliminary.
2. Establishments.
3. Assessment and Collection of land-revenue.
4. Survey and Boundaries.
5. Miscellaneous.

IX.—LOWER BURMA
X.—UPPER BURMA
1. Preliminary.
2. Assessment of land-revenue.
3. Collection of land-revenue.
4. Miscellaneous.

XI.—CENTRAL PROVINCES AND SAMBALPUR DISTRICT IN BENGAL
1. Preliminary.
2. Revenue-officers.
3. Revenue survey and settlement.
(*a*) PRELIMINARY.
(*b*) DEMARCATION.
(*c*) ASSESSMENT OF LAND-REVENUE.
(*d*) INVESTIGATIONS BY SETTLEMENT-OFFICER AND PREPARATION OF RECORD-OF-RIGHTS.
(*e*) MISCELLANEOUS.
4. Revenue-administration.
(*a*) COLLECTION OF LAND-REVENUE.
(*b*) REVENUE AND VILLAGE RECORDS.
(*c*) VILLAGE-OFFICERS, PATWARIS AND WATCHMEN.
(*d*) PARTITION OF MAHALS.
(*e*) MISCELLANEOUS.
5. Miscellaneous.

XII.—COORG
1. Preliminary.
2. Collection of land-revenue.
3. Rate on land.

XIII.—MADRAS PRESIDENCY EXCEPT THE CITY OF MADRAS)
1. Preliminary.
2. Revenue-authorities.
3. Settlement, and Assessment of land-revenue.
(*a*) SETTLEMENT.
(*b*) ASSESSMENT OF LAND-REVENUE.
(*c*) REVENUE-FREE LANDS.
4. Revenue-administration.
(*a*) COLLECTION OF LAND-REVENUE.
(*b*) MISCELLANEOUS.

XIV.—CITY OF MADRAS.

XV.—N.-W. FR. PROVINCE AND PUNJAB
1. Preliminary.
2. Revenue-officers.
3. Assessment of land-revenue.
4. Revenue-administration.
(*a*) COLLECTION OF LAND-REVENUE.
(*b*) RECORDS.
(*c*) VILLAGE-OFFICERS, ETC.
(*d*) SURVEY AND BOUNDARIES.
(*e*) PARTITION.
(*f*) MISCELLANEOUS.
5. Miscellaneous.

LAND-REVENUE—*contd.*

XVI.—UNITED PROVINCES.

1. Preliminary.
2. Revenue-authorities.
3. Settlement.
4. Revenue-administration.
   (*a*) COLLECTION OF LAND-REVENUE.
   (*b*) RECORDS.
   (*c*) SURVEYS AND BOUNDARIES.
   (*d*) PARTITION AND UNION OF MAHALS.
   (*e*) MISCELLANEOUS.
5. Miscellaneous.
6. Special and Local Laws.

I.—GENERALLY.

Power of Local Government to modify Code of Civil Procedure in its application to Revenue Courts	Act5,1908,ss.4,5.
Exemption from land-revenue of improvements made with aid of loan granted by Government	Act19,1883,s.11.
Recovery, beyond district in which it accrued, of—	
land-revenue	Act1,1890,s.3,Sch.
sum recoverable as arrear of land-revenue	,, ss.3,5.
Payment under protest of sum sought to be so recovered; suit for recovery of sum so paid	,, s.4.
Sale of immoveable property under Act	,, s.6.
Saving of local laws	,, s.7(*a*).
Act does not authorise arrest for recovery of municipal tax	,, s.7(*b*).
Application of Act to recovery in British India of land-revenue, or sums recoverable as arrears of land-revenue, accruing due out of British India	,, s.8.
Act 1, 1890, extends to whole of British India, including British Baluchistan	,, s.1.
,, ,, declared in force in Angul District	Reg.1,1894,s.3.
,, ,, ,, ,, Santhál Parganas	Reg.3,1872,s.3,Sch.
,, ,, ,, ,, Upper Burma except Shan States.	Act13,1898,s.4,Sch.1.
Raja of Benares deemed to be Collector for the purposes of Act 1, 1890, s. 3, in Family Domains	U.P.Act3,1904,s.15.
Purchaser of estate at sale for arrears of revenue bound by agreement under ss. 4, 5 of Ancient Monuments Preservation Act, 1904, executed by owner for the time being	Act7,1904,s.8.

II.—AJMERE.

1. Preliminary.

Definitions	Reg.2,1877,ss.2,74.

2. Assessment of Land-revenue.

No exemption from or assignment of land-revenue allowed except under sanad; power to grant sanad	,, ss.37,38.
Decision of question whether right to exemption or assignment has determined	,, s.39
Power, in granting or recognizing exemption from land-revenue, to impose conditions as to alienation or charging of, succession to, or maintenance out of, land	,, s.40.
Offer of settlement to whom to be made	,, ss.57,58.
Term of settlement	,, s.59

LAND-REVENUE—*contd.*

II.—AJMERE—*contd.*

2. Assessment of Land-revenue—*contd.*

Declaration of amount of assessment	Reg.2,1877,s.60.	
Effect of acceptance of assessment; sanction of Governor General in Council required to bind Government	,,	s.61.
Joint and several liability for revenue of persons accepting assessment	,,	s.64.
Perfect partition not allowed without previous sanction of Chief Commissioner		
Exclusion of proprietors refusing to accept offer of assessment; allowance to persons excluded	,,	ss.62,63.
Continuance of assessment until new settlement is made	,,	s.71.
Power to make rules as to assessment	,,	s.110.
Application of ss. 64 and 71 to settlement concluded in 1874	,,	s.72.

3. Settlement-record.

Preparation of; entries in, to be made on basis of actual possession and existing usage; authentication of entries in	,,	ss.65,66.
Appeal to Revenue-officer, or institution of suit in Civil Court, by person aggrieved by entry in	,,	s.67.
Presumption of correctness of entries in	,,	s.68.
Delivery of, to Collector	,,	ss.2,69,first para.
Maintenance of	,,	s.69,second para.,s.70.
Ss. 68 and 70, and second para. of s. 69, of Reg. 2, 1877, repealed as to certain estates	Reg.3,1895,s.6,Sch.	
Making of annual record; penalty	[1]Act17,1887,ss.33,35,39,40,98.	
Determination of disputes as to entries in settlement-record, annual record or register of mutations	,,	s.36.
Restrictions in variation of entries in records	,,	s.37.
Fees for entries in record or register	,,	ss.38,98.
Presumption as to correctness of entries in records	,,	s.44.
Suit for declaration of right, in respect of entries in records	,,	s.45.
Power to make rules as to records and registers and for conduct of enquiries	,,	s.46.
Continuance of record-of-rights until new record made	Reg.2,1877,s.71.	
Application of Reg. 2, 1877, ss. 67 to 71, to settlement concluded in 1874	,,	s.72.

4. Collection of land-revenue.

Instalments, places and times at and in which payments to be made	,,	s.73.
Arrear of land-revenue:		
Definition of "arrear" and "defaulter"	,,	s.74.

[1] As in force in Ajmere by notification under the Scheduled Districts Act, 1874.

LAND-REVENUE—*contd.*

II.—AJMERE—*concld.*

4. Collection of Land-revenue—*contd.*

Processes for recovery of: arrest and detention of defaulter; attachment and sale of moveables; attachment of estate without cancellation of settlement, leases, etc.; transfer of estate to solvent malguzar or incumbrancer; sequestration of estate, with cancellation of settlement, leases, etc.; attachment of other immoveable property of defaulter	Reg.2,1877,ss.75to96.
Recovery of, through headman; abolition of village-headman's power of distraint	,, ss.98to100.
Recovery, as arrears of land-revenue, of—	
rent payable to Government	,, s 97(*b*).
fees, costs and other money payable under Reg. 2, 1877	,, s.97(*c*)
Fees and fines under Act 17, 1887	[1]Act17,1887,s.98.

5. Subordinate Officers.

Power to make rules as to appointment and removal of circle-headmen, village-headman and patels, and investigation of charges of misconduct of subordinate Revenue-officers	Reg.2,1877,s.110(*c*),(*e*).

See also PATWARIS AND KANUNGOS.

6. Miscellaneous.

Erection and repair of boundary-marks	,,	s.106.
Powers with which Revenue-officers may be invested	,,	s.107.
Collector appointed under Reg. 2, 1877, to discharge functions of Collector under other enactments	,,	s.108.
Revision by Chief Commissioner	,,	s.109.
Rules; general power to make	,,	s.110.
,, penalty for breach of	,,	s.111.
,, publication of periodical consolidation and republication of	,,	ss.112,113.
Appeals, first and second	,,	ss.114to117.
Certificate to practise as Revenue-agent not to be granted	,,	s.118.
Proceedings under Reg. 2, 1877, not to be impeached; bar to jurisdiction of Civil Courts	,,	s.119.

III.—BENGAL (EXCEPT CALCUTTA AND SAMBALPUR DISTRICT).

1. Preliminary.

Ben. Reg. 5, 1816, territorial extension of	Ben.Reg.1,1819,s.4(*1*).
Ben. Regs. 2, 8, 19 and 37 of 1793; 3 of 1794, s. 13; 8 of 1800, s. 19; 1 of 1801, ss. 10, 14; 5 of 1812, ss. 24, 25; 2 of 1819; 4 of 1821; 11 of 1822, s. 36; 9, 13 and 14 of 1825; 3 and 4 of 1828; and 1 of 1829; and Acts 21 of 1836; 12 of 1841, s.2, 9 of 1847; 44 of 1850; 31 of 1858; and 11 of 1859 declared in force throughout Bengal, except as regards the Scheduled Districts	Act15,1874.s.6;Sch.IV.

[1] As in force in Ajmere by notification under the Scheduled Districts Act, 1874.

LAND-REVENUE—*contd.*

III.—BENGAL (EXCEPT CALCUTTA AND SAMBALPUR DISTRICT)—*contd.*

1. Preliminary—*contd.*

Ben. Regs. 8, 19 and 37 of 1793; 8 of 1800, s. 19; 1 of 1801, ss. 10, 14; 5 of 1812, ss. 24, 25; 18 of 1812, s. 3 (2); 29 of 1814; 1 and 2 of 1819; and 13 and 14 of 1825; Acts 21 of 1836; 12 of 1841; s. 2; 9 of 1847; 31 of 1858 and 11 of 1859; and Ben. Acts 3 and 7 of 1862; 4 of 1864; 7 of 1868; 2 of 1871; and 7 of 1876, declared in force in the Santhál Parganas . . . . . Reg.3,1872,s.3,Sch.

Ben. Reg. 2, 1793, s. 7, and cl. 10 of s. 8, declared in force in Angul District . . . . . Reg.1,1894,s.3,Sch.

Ben. Reg. 37, 1793, declared in force in Cuttack (with modification) . . . . . Ben.Reg.12,1805,s.25.

Ben. Reg 7, 1822, extended to—

all lands not included in permanently-settled estates . . }
all estates held khas, and }
the Sundarbans, the hill lands of Bhagulpore, and certain other extensive forests and wastes and estates bordering thereon . } Ben.Reg.9,1825,s.2.

List of divisions and districts; power to transfer districts from one division to another . . . . . Ben.Reg.1,1829,s.2.

Power of Local Government to create districts . . . Act21,1836.

„ „ to alter limits of district . . Ben.Reg.4,1821,s.8(*1*).

„ „ to alter limits of districts . . Ben.Act4,1864.

2. Revenue-authorities.

Collectors to be members of Indian Civil Service . . . Ben.Reg.2,1793,s.3.

„ to collect the revenue . . . . . „ ss.3,8.

„ to be subject to Board of Revenue . . . „ ss.4,7,8.

„ to use seal . . . . . „ s.5.

„ to keep diary . . . . . „ s.6.

„ to preserve accounts and records . . . . „ s.20.

„ to make settlements of khas or farmed estates . }
„ other duties to be performed by . . . . } „ s.8.

„ native officers to be subordinate to . . . . „ s.9.

„ not to employ their private servants in public matters „ s.10.

„ responsibility of, for money committed to their charge „ s.11.

„ senior Assistant Collector to officiate for Collector dying, etc. . . . . „ s.14.

„ not to exercise authority beyond their districts without orders . . . . . „ s.24.

„ power to alter number of Collectors and authorise Collectors to exercise powers in particular areas Ben.Reg.4,1821,s.8(*1*).

„ power of Board of Revenue to depute subordinate to perform functions of Collector; report to Local Government . . . . . „ s.8(*2*).

„ power of Collector to delegate his duties to an Assistant; report when to be made to Board . . „ s.8(*3*).

„ persons exercising functions of Collector to have same responsibilities as Collector . . . . . „ s.8(*5*).

„ "Collector," as used in the Regulations, to include officers duly exercising authority of Collector . Ben.Reg.7,1822,s.35.

LAND-REVENUE—*contd.*

III.—BENGAL (EXCEPT CALCUTTA AND SAMBALPUR DISTRICT)—*contd.*

2. Revenue-authorities—*contd.*

Deputy Collectors:	
Appointment of	Ben.Reg.9,1833,ss.16,17.
Natives eligible for office	,, s.17.
Remuneration of	,, s.18.
Subordination of; duties of; record of proceedings of	,, ss.20to24.
Suspension and removal of	,, s.25.
Commissioners: appointment of; power to increase number of	Ben.Reg.1,1829,s.2.
,, to have powers of Board of Revenue and Court of Wards	,, s.4(*1*).
,, form of proceedings of; place of residence of	,, s.4(*2*).
,, powers of, where Collectors, etc., have authority in another division	,, s.4(*3*).
Abolition of office of, in the Sundarbans; duties and powers of Commissioner in the Sundarbans transferred to Collector.	*See* SUNDARBANS.
[1]Board of Revenue:	
Number of members	Ben.Reg.3,1822,s.4(*1*).
Exercise of powers by one member	,, s.5(*1*),(*3*),(*5*),(*6*).
Procedure in case of difference of opinion between members	Ben.Reg.3,1822,s.5(*2*),(*7*).
Two members when necessary to appoint, remove or punish officers	,, s.5(*4*),(*5*).
Board may review, etc., their decisions	,, s.5(*6*).
"Board of Revenue," as used in the Regulations, to include Commissions, etc., vested by Governor General in Council with powers of such Board	Ben.Reg.7,1822,s.35.
Powers of Board of Revenue as to requiring personal attendance of native officers and proprietors, etc., of land	Ben.Reg.2,1793,s.33.
Board to furnish accounts to, and obey orders of, Local Government	,, s.45.
Commissioners to have powers of Board of Revenue	Ben.Reg.1,1829,ss.4(*1*).
Form of proceedings of Sadr Board; members where to reside	,, s.4(*2*).
Functions of Board of Customs, Salt and Opium transferred to Sadr Board of Revenue	Act44,1850,s.2.
Sadr Board to be styled "the Board of Revenue for the Lower Provinces of the Presidency of Fort William in Bengal"	,, s.3.
Native cash-keepers; appointment, removal and responsibility of	Ben.Reg.2,1793,s.11.
Native officers; appointment, removal and employment of	,, s.13.
Officers not to be privately interested in collection of revenue, purchase of land, etc.	,, ss.15,16.
Collectors and assistants not to trade	,, s.18.
Duties of, as to receipts for revenue	,, s.25.
,, ,, ,, for salaries, etc.	,, s.26.
Power, when officer is deputed to hold enquiry in mahal, to invest him with powers in regard to lands held free of assessment in adjoining villages	Ben.Reg.9,1825,s.6.

[1] As to the exercise of functions in the Sambalpur District by the Board of Revenue, see Act 7 of 1905, s. 3 and Sch. D, Pt. II, Chs. II, III, IV.

LAND-REVENUE—*contd.*

III.—BENGAL (EXCEPT CALCUTTA AND SAMBALPUR DISTRICT)—*contd.*

3. Settlement, and Assessment of Land-revenue.

(*a*) SETTLEMENT GENERALLY.

Permanent Settlement. *See* PERMANENT SETTLEMENT, 1.

Power of Board of Revenue to order settlement of lands held in khas . . . . . Ben.Reg.2,1793,s.36.

Settlement of lands held in khas to be made—

by Collector, or . . . . . ,, ss.8(*4*),39.

by person specially deputed by Board of Revenue . . . ,, s.39.

On conclusion of settlement, Board to issue parwana . . ,, s.40.

Settlement to be made with actual proprietors of the soil; exception in case of certain females, minors, lunatics and other incapacitated persons and proprietors in arrear; management of lands of accepted persons. Ben.Reg.8,1793,ss.4,20to22.

Separated taluqdars to pay revenue direct into treasury, or to tahsildar, and not through proprietors; who to be appointed tahsildars . . . . . ,, ss.13to15.

Provisions of Ben. Reg. 8, 1793, as to separate taluqs do not apply to new taluqs constituted since the decennial settlement; transfers of taluqs declared void if separate allotment of assessment was not obtained . . . . . Ben.Reg.1,1801,s.14.

Istimrardars to be considered as patta taluqdars; settlement to be made with them . . . . . Ben.Reg.8,1793,s.19.

Decision of majority of proprietors as to acceptance or rejection of proposed assessment to bind minority; partition of lands and proportionate allotment of revenue obtainable at expense of dissatisfied sharer . . . . . ,, s.26.

When lands divided, settlement to be made separately for each share with proprietor in possession . . . . . ,, s.27.

Settlement with whom to be made in case of dispute as to proprietary right; procedure where no claimant in possession and no manager appointed . . . . . ,, ss.30,31.

Settlement with whom to be made in case of dispute as to boundaries . . . . . ,, s.32.

Powers of Collector where Regulations inapplicable to circumstances of district . . . . . ,, s.67,cl.(*5*).

Settlement not binding on Government unless made or confirmed in accordance with rules sanctioned by Governor General in Council . . . . . Ben.Reg.3,1822,s.5(*1*).

Settlement to be made of estates left in farm or held khas; new leases not to exceed twelve years; power to exclude turbulent Rajas, etc. . . . . Ben.Reg.7,1822,s.3.

Revenue-officers empowered to adjust the respective rights of sadr malguzars and under-tenants; if result is to materially reduce zamindar's or malguzar's profits, he may relinquish his engagement, and mahal must then be settled *de novo* . . . ,, s.4.

Revised rules as to allowance to be made to zamindars and malguzars excluded from management of their mahals . . ,, s.5. Ben.Reg.9,1833,s.11.

Power to revise settlement of estates during continuance of leases: revision how to be made; grant of renewed leases; limit to assessment . . . . . Ben.Reg.7,1822,ss.6,7.

LAND-REVENUE—*contd.*

III.—BENGAL (EXCEPT CALCUTTA AND SAMBALPUR DISTRICT)—*contd.*

3. Settlement, and Assessment of Land-revenue—*contd.*

(*a*) SETTLEMENT GENERALLY—*contd.*

Power of Revenue-officer to grant leases of waste land for cultivation and to assign an allowance to zamindars, etc., having rights therein	Ben. Reg. 7, 1822,	s.8.
Collectors, in making or revising settlements,—		
to ascertain and record full information in regard to landed tenures and the rights, etc., of the various classes of the agricultural community, and	,,	s.9(*1*).
to record lakhiraj tenures	,,	s.9(*1*).
Cesses and collections not taken into account in fixing assessment to be void, unless specially sanctioned by Government	,,	s.9(*1*).
Power of Collector to grant pattas to owners and occupants of land	,,	s.9(*2*).
Power to take five years' engagements for revenue without completing detailed enquiry	,,	s.9(*3*).
Settlement with whom to be made where there are several holders	,,	s.10.
Power to prescribe distribution of profit resulting from limitation of jama	,,	s.10(*1*).
Collector, in making registry, to proceed on basis of actual possession	,,	s.11.
Power of Collector to re-distribute charges and revenue payable by co-purchasers, and to partition land; his decision may be contested by suit in District Court	,,	s.12.
Collectors not to disturb possession; claims of persons not in possession to be decided by suit	,,	s.13.
Collector empowered, subject to suit in Civil Court, to—		
declare nature and extent of interests of persons in possession of land	,,	s.14(*1*)to(*3*).
restore possession to persons wrongfully dispossessed within a year	,,	s.14(*4*),(*5*).
take cognizance of claims to property in resumed mahal	,,	s.15.
,, ,, to lands held revenue-free or at a mukarrari jama	,,	s.17.
Collector may be specially empowered to take cognizance of claims to property in any estate under settlement, subject to suit in Civil Court	,,	s.16.
Collector to be judge of question of jurisdiction, subject to suit in Civil Court	,,	s.18.
Powers of Collector as to enforcing attendance of, and examining witnesses; application of Ben. Reg. 2, 1819	,,	s.19.
Power of Government to restrict Collectors' settlement powers, and to invest Collectors with settlement powers when not making or revising settlements	,,	s.20.[1]
Process for requiring attendance of parties before Collectors	,,	s.21.[1]
Collector's office deemed to be Civil Court	,,	s.23(*1*).[1]
Suits to contest Collector's decisions under Ben. Reg. 7, 1822, ss. 11, 12, 14 to 20, to be deemed appeals from summary awards	,,	s.23(*2*).[1]

[1] So much of s. 20 and following sections of Ben. Reg. 7, 1822, as relates to rent is repealed by Act 10, 1859.

LAND-REVENUE—*contd.*

III.—BENGAL (EXCEPT CALCUTTA AND SAMBALPUR DISTRICT)—*contd.*

3. Settlement, and Assessment of Land-revenue—*contd.*

(*a*) SETTLEMENT GENERALLY—*contd.*

Collectors authorised to execute their own awards under Ben. Reg. 7, 1822	Ben.Reg.7,1822,s.23(*3*).[1]
Collectors empowered to depute native officers to make enquiries preparatory to settlement; powers of such officers	,, s.24(*1*).
Process or order of Revenue-officer: punishment for resistance or obstruction to; Police to aid in execution of	,, s.24(*2*),(*3*).[1]
Pleading in suits	,, s.26.[1]
Place for trial of suits by Collectors	,, s.28.[1]
Appeal to Board from decisions of Collectors in suits	,, s.29.[1]
Limitation of such appeals	Ben.Act3,1868,s.1.
Right to institute suit in Civil Court instead of moving Collector to act summarily	Ben.Reg.7,1822,s.30.[1]
When suit instituted to contest Collector's summary decision, his proceedings to be filed on record	,, s.31[1]
Reports by Collectors to Board and by Board to Government, as to causes decided or pending	Ben.Reg.7,1822,s.32.[1]
Arbitration	,, ss.33,34.[1] Ben.Reg.9,1833,ss.5to10.
Village accounts, keeping and production of	,, ss.1,12,13.
Power of Collector to interfere in cases of disputed possession	Ben.Reg.7,1822,s.34.[1] Ben.Reg.4,1828,s.2(*4*).
Power to invest officers in Bengal, Behar or Orissa with powers specified in Ben. Reg. 7, 1822, s. 20: application of s. 21 and following sections of that Regulation when officers so empowered	Ben.Reg.9,1825,s.3.
Application of Ben. Reg. 7, 1822, ss. 23 (*1*), 28, to cases investigated under Ben. Reg. 2, 1819, or Ben. Reg. 9, 1825	,, s.5(*9*)(pt. rep.Act20, 1865).
Lands held free of assessment to be specified in proceedings of Collector making settlement under Ben. Reg. 7, 1822	,, s.7.
Duration of settlement-proceedings	Ben.Reg.4,1828,s.2(*4*).
Police-officers to support Revenue-officers in execution of their duties	,, s.2(*4*).
Cuttack:	
Confirmation of settlements made with certain zamindars to hold at fixed jama in perpetuity	Ben.Reg.12,1805, s.33.
,, of sanad entitling the jagirdar of Malud to hold his lands exempt from assessment	,, s.34.
,, of settlements made with certain zamindars for payment of fixed annual quit-rent in perpetuity; similar settlement to be made with zamindars of Korda and Kanka	,, s.35.
Santhál Parganas:	
Restriction on trial by ordinary Courts of suits relating to land under settlement made; retransfer of suit to Civil Court	Reg.3,1872,ss.5,5A(sub. Reg.3,1908,s.2).

[1] So much of s. 20 and following sections of Ben. Reg. 7, 1822, as relates to rent is repealed by Act 10, 1859.

LAND-REVENUE—*contd.*

III.—BENGAL (EXCEPT CALCUTTA AND SAMBALPUR DISTRICT)—*contd.*

3. Settlement, and Assessment of Land-revenue—*contd.*

(*a*) SETTLEMENT GENERALLY—*concld.*

Santhál Parganas—*contd.*

Jurisdiction of officers appointed under Act 37, 1855, pending completion of settlement	Reg.3,1872,ss.5,5A(sub. Reg.3,1908,s.2),s.26.
Power to order settlement	,, s.9.
Power to appoint Settlement-officers and controlling authorities, and to make rules for guidance of such officers	Reg.3,1872,s.10.
Power of Lieutenant-Governor to reserve to himself an ultimate power of revision	
Bar to jurisdiction of Civil Courts, except in certain cases	,, s.11(am. Reg.3,1908,s.4).
Decisions and orders of Settlement Courts to have force of decree of Court	
Preparation of record of-rights by Settlement-officer	Reg.3,1872,ss.12to14(s.13 am.Reg.3,1908,s.5).
Demarcation of village by Settlement-officer; exclusion from village of waste or forest land	Reg.3,1872,s.15.
Power of Settlement-officer to review decisions under Act 37, 1855, as to rights of village-headmen	,, s.1.
Rules to be followed by Settlement-officer in deciding claims to office of village-headman: power to modify rent payable by him	,, s.17.
Record of village-customs and tribal-customs; suit to contest Settlement-officer's decision; court-fees	Reg.3,1872,ss.23to25A,26, (ss.25,25A,26sub.Reg.3, 1908,ss.9,10).

(*b*) ASSESSMENT GENERALLY.

Allowances of kazis and kanungos, and pensions, paid by or through landholders, to be added to jama	Ben.Reg.8,1793,s.34.
Assessment to exclude—	
certain sair collections	,, s.35.
lakhiraj lands	,, s.36.
Assessment to include—	
malikana lands in Behar, and proprietor's private lands	,, ss.37to40.
chakaran lands	,, s.41.
Procedure where proprietor declines to engage for settlement at proposed assessment	,, s.43.
Apportionment of assessment on division of joint estate	Ben.Reg.18,1812,s.3(*2*). (rep. locally, Act8,1885,)
Following lands to be assessed—	
lands not already settled and not legally held free of revenue	Ben.Reg.2,1819,s.3(*1*).
lands gained by alluvion or dereliction	,, s.3(*2*).
lands not permanently assessed	,, s.3(*3*).
Investigation to determine whether lands held wholly or partially free of revenue are liable to assessment or increased assessment:	
Investigation to be made by Collector; service of notices; penalties on parties, patwaris, etc., refusing to give evidence, etc.; examination of documents and witnesses; report by Collector to Board; final decision to rest with Board	,, ss.5to21.

LAND-REVENUE—*contd.*

III.—BENGAL (EXCEPT CALCUTTA AND SAMBALPUR DISTRICT)—*contd.*

3. Settlement, and Assessment of Land-revenue—*contd.*

(*b*) ASSESSMENT GENERALLY—*contd.*

Investigation to determine whether lands held wholly or partially free of revenue are liable to assessment or increased assessment—*contd.*

Landholder to give security for payment of assessment and institute suit to try justice of demand; in default, Collector to proceed to final assessment . . . . . Ben.Reg.2,1819,ss.22,23.

Modification of Ben. Reg. 2, 1819, ss. 5, 6, 8, 10, 11, 13, 15, 22 Ben.Reg.9,1825,s.5.

Ben. Reg. 2, 1819, s. 22, not to apply where lands illegally held free of revenue . . . . . ,, s.8.

Suits to contest assessment: limitation of; appeal to High Court; procedure . . . . . Ben.Reg.2,1819,ss.24, 26. Ben.Reg.14,1825,s.6. Ben.Reg.3,1828,s.10(*3*)to (*5*).

Application of Ben. Reg. 2, 1819, ss. 11 to 14, 19, extended . Ben.Reg.7,1822,s.19(*2*).

Application of Ben. Reg. 2, 1819, to investigation of cases in which Collector considers that land belongs to Government and that no person has *bonâ fide* possession of the land . Ben.Reg.9,1825,s.5(*12*).

Decision of Board under Ben. Reg. 2, 1819, s. 21, to be carried into effect notwithstanding suit to contest it; person declining to pay assessment to be dispossessed . . . . Ben.Reg.3,1828,s.10(*2*).

Farmans, sanads and grants by Native Rulers to be carefully examined and not received in evidence unless registered. Ben.Reg.2,1819,s.28.

Ben. Reg. 2, 1817, not to affect right of proprietors to waste-land guaranteed at permanent settlement . . . . . ,, s.31(*1*).

Revenue-authorities not to claim additional revenue from lands in estates for which permanent settlement made, unless the lands were expressly excluded from that settlement . . . ,, s.31(*2*).

Unregistered tenures to be liable to resumption, unless declared hereditary by decree of competent Court; assessment of revenue . . . . . Ben.Reg.3,1828,s.12.

Application of Ben. Reg. 2, 1819, to settlement of claims in respect of land granted by Government in Sundarbans . . ,, s.13.

Alteration of assessment when land lost or gained by diluvion or alluvion; indemnity to Government officers; repeal of prior Regulations . . . . . Act9,1847,ss.1,5,6,9.

Addition of revenue assessed upon alluvial land to jama of original estate; separate settlement of alluvial land when to be made; saving of rights of under-tenants; record of such rights . . Act31,1858,ss.1,2.

Assessment how affected by partition. *See* PARTITION, etc., III.

(*c*) REVENUE-FREE GRANTS.

(i) *Non-badshahi Lakhiraj Grants.*

Grants made before 12th August, 1765, and not subsequently rendered subject to payment of revenue:

Declared valid, provided grantee obtained possession . . Ben.Reg.19,1793,s.2(*1*).

Reference of doubtful claims to Local Government . . Claims barred when made after payment of revenue for twelve years . . . . . ,, s.2(*2*).

LAND-REVENUE—*contd.*

III.—BENGAL (EXCEPT CALCUTTA AND SAMBALPUR DISTRICT)—*contd.*

3. Settlement, and Assessment of Land-revenue—*contd.*

(c) REVENUE-FREE GRANTS—*contd.*

(i) *Non-badshahi Lakhiraj Grants*—contd.

Grants made before 12th August, 1765, and not subsequently rendered subject to payment of revenue—*contd.*

Grants for life of a term not extended, unless duly confirmed by Government as hereditary tenures . . . . . Ben.Reg.19,1793,ss.2(*3*)to(*5*),47.

Grants made between 12th August, 1765, and 1st December, 1790, and not confirmed by Government:

Declared invalid; exception as to grants made under Government authority and small grants made for religious or charitable uses . . . . . ,, s.3(*1*),(*3*),(*4*).

Reference of doubtful claims to Local Government . . ,, s.3(*2*).

Grants made before 1st December, 1790:

Declared void if forged, altered or antedated . . . ,, s.17.

Registration of valid grants; grants not duly registered declared invalid, and must be assessed to revenue; registration not conclusive as to title to land or to exemption from revenue; lands so assessed to be entered in Collector's registers. . ,, ss.24,26to28. Ben.Reg.8,1800,s.19.

Declaration of invalidity or nullity affects only payment of revenue, grantee retaining proprietary right . . . Ben.Reg.19,1793,ss.4,17,27.

Assessment of, to revenue:

Amount of assessment; procedure for making assessment . ,, ss.5,8,9.

Revenue to whom to belong, and how recoverable . . ,, ss.6,7,11.

Grants made after 1st December, 1790, otherwise than by Governor General in Council or Local Government:

Declared void . . . . . ,, s.10.

Ben. Reg. 19, 1793, s. 10, not affected by other Regulations; assessment of lands illegally held free of revenue . . Ben.Reg.9,1825,s.8.

Grants which are hereditary, and are declared valid by Reg. 19, 1793, or confirmed by Government, may be transferred; registration of transferees . . . . . Ben.Reg.19,1793,s.20.

Conduct of suits against Government by persons claiming right to hold land free of revenue . . . . . ,, s.15.

Ben. Reg. 19, 1793, not to—

annul grants made or confirmed by superintendents of the bàzi-zamin daftar . . . . . ,, s.48.

extend to badshahi grants . . . . . ,, s.49.

Modification of Ben. Reg. 19, 1793 . . . . . Ben.Reg.14,1825,s.3.

Cuttack:

Ben. Reg. 19, 1793, modified in its application to . . Ben.Reg.12,1805,ss.17to24.

(ii) *Badshahi Lakhiraj Grants.*

Grants made before 12th August, 1765, and not subsequently resumed by Government:

Declared valid, provided grantee obtained possession . . . Ben.Reg.37,1793,s.2(*1*).

LAND-REVENUE—*contd.*

III.—BENGAL (EXCEPT CALCUTTA AND SAMBALPUR DISTRICT)—*contd.*

3. Settlement, and Assessment of Land-revenue—*contd.*

(*c*) REVENUE-FREE GRANTS—*contd.*

(ii) *Badshahi Lakhiraj Grants*—contd.

Grants made before 12th August, 1765, and not subsequently resumed by Government—*contd.*

Reference of doubtful claims to Local Government . . } Ben.Reg.37,1793,s.2(2).
Claims barred when made after payment of revenue for twelve years . . . . . } Ben.Reg.37,1793,s.2(2).
Grants for life not extended . . . . . ,, s.2(3)to(5).

Grants made after 12th August, 1765, and not confirmed by Government:

Declared invalid . . . . . ,, s.3(1).
Reference of doubtful claims to Local Government . . ,, s.3(2).
Grants forged, altered or antedated, declared void . . ,, s.12.
Registration of valid grants; grants not duly registered declared liable to resumption and lands liable to payment of revenue; registration not conclusive as to title to land or validity of grant; lands so assessed to be entered in Collector's registers } ,, ss.19,21to23. Ben.Reg.8,1800,s.19.
Declaration of invalidity affects only payment of Government revenue; claims as to proprietary right to be referred to Court } Ben.Reg.37,1793,s.4.
Escheated life-grant: attachment of revenue of; order for resumption to be obtained . . . . . } ,, s.5.
Assessment of, to revenue, on resumption or expiration of grant or on escheat . . . . . } ,, s.6.
Certain grants declared hereditary . . . . . } ,, s.15.
Jagirs to be considered as life-tenures only . . . . .
Grants which are hereditary, and are declared valid by Reg. 37, 1793, or confirmed by Government, may be transferred; registration of transferees . . . . . }
Conduct of suits against Government by persons claiming right to hold land free of revenue . . . . . } ,, s.10.
Power to continue occupant in possession when revenue resumed, on his engaging for future assessment . . . . . } Ben.Reg.13,1825,s.5.
Ben. Reg. 37, 1793, not to extend to non-badshahi grants . . Ben.Reg.37,1793,s.42.
Modification of Ben. Reg. 37, 1793 . . . . . Ben.Reg.14,1825,s.3.
Cuttack:
Ben. Reg. 37, 1793, modified in its application to . . . Ben.Reg.12,1805,ss.25to29.

(iii) *Grants for holding lands under tenures limiting the Government demand.*

Provisions in Ben. Regs. 19and 37, 1793, and 12, 1805, for determining validity of revenue-free grants, declared applicable to } Ben.Reg.2,1819,s.4.
Person succeeding to possession of, to report to Collector; procedure on failure to report . . . . . } Ben.Reg.3,1823,s.11(2), (3).

(iv) *Miscellaneous.*

Revenue of lands held by kanungos declared to be liable to resumption . . . . . } Ben.Reg.5,1816,ss.5,6.

LAND-REVENUE—*contd.*

III.—BENGAL (EXCEPT CALCUTTA AND SAMBALPUR DISTRICT)—*contd.*

3. Settlement, and Assessment of Land-revenue—*concld.*

(*c*) REVENUE-FREE GRANTS—*concld.*

(iv) *Miscellaneous*—contd.

Power to continue minhaidars in possession of resumed lands formerly held as lakhiraj by kanungos; continued payment of proprietor's dues; minhaidars' tenures declared heritable and transferable . . . . . Ben.Reg.13,1825,ss.2,3.

Ben. Reg. 13, 1825, ss. 2, 3, applied to certain other lakhiraj resumptions . . . . . ,, ss.4,5.

Lakhiraj tenures under what circumstances alone valid . . Ben.Reg.14,1825,s.2.

Principles to be observed in determining validity of grants made before acquisition of territory by British Government . . ,, ss.3,4.

Person succeeding to possession of revenue-free grant to report to Collector; procedure on failure to report . . . . Ben.Reg.3,1828,s.11(*2*),(*3*).

Suits by proprietors, etc., to resume revenue of land held free of assessment, and suits by persons claiming to hold land exempt from revenue, to be determined by Civil Courts . . . Ben.Act7,1862,s.2.

See above, (*a*), (*b*) (Investigation to determine, etc.); PERMANENT SETTLEMENT, 1.

4. Collection of Land-revenue.

Land to be security for payment of revenue; surety required where land let in farm . . . . . Ben.Reg.2,1793,s.37.

Remissions not to be granted without sanction of Local Government . . . . . ,, ss.38,43.

Powers of Board as to granting temporary suspensions . . ,, s.42.

Revenue to be collected by Collector, under supervision of Board; Collector's power of coercion . . . . . ,, ss.8,41.

Responsibility of zamindars or malguzars for payment of revenue when they hold on after expiration of lease . . . . Ben.Reg.7,1822,s.2(*6*).

Opening of separate account to admit of sharers of estates paying their shares of revenue separately . . . . . Act11,1859,ss.10to12.

Fees payable on applications under Act 11, 1859, ss. 10, 11. . Ben.Act7,1876,s.70(am. Ben.Act2,1906,s.13).

Account not to be opened for a sharer under Act 11, 1859, s. 10 or s. 11, except for a share corresponding with the character and extent of his interest as recorded under Ben. Act 7, 1876 . Ben.Act7,1876,s.69.

Power to open separate account under Act 11, 1859, for undivided interest held by proprietor in specific lands; application of Act 1859, s. 12; fee . . . . . ,, s.70(am. Ben.Act,2,1906,s.13),s.71.

Closing of account opened under Act 11, 1859, or Ben. Act 7, 1876, and opening of fresh accounts; applicants when to be referred to Civil Court; power of Collector to close account otherwise than on application . . . . . ,, ss.72to74A(s.74A ins.Ben.Act2,1906,s.14).

Act 11, 1859, ss. 10 to 12, not affected by Estates Partition Act, 1897 . . . . . Ben.Act5,1897,s.16.

Collection how affected by partition. *See* PARTITION, III.

Arrears of land-revenue:

Recovery of arrears payable to tahsildar, etc. . . . . Ben.Reg.3,1794,s.13.

Purchaser of land sold to attend Collector and execute engagement for payment of revenue assessed thereon . . . Ben.Reg.1,1801,s.10.

LAND-REVENUE—*contd.*

III.—BENGAL (EXCEPT CALCUTTA AND SAMBALPUR DISTRICT)—*contd.*

4. Collection of Land-revenue—*contd.*

Arrears of land-revenue—*contd.*

Sale of entire estate not to be annulled on ground that sharer had not obtained possession of his interest . . . .
Board of Revenue to decide whether entire estate or part only should be sold . . . . . Ben.Reg.5,1812,s.24.

Sale of estate or share not to be annulled on ground that proceeds exceeded amount of arrear . . . . . .
Board of Revenue to decide whether entire estate or part only should be sold . . . . . ,, s.25.

Assistant Magistrates, etc., to follow procedure prescribed for Collector, in instituting suit for recovery of . . . Ben.Reg.4,1821,s.7.

Power to farm mahal (not permanently settled), or hold it in khas management, for recovery of . . . . . Ben.Reg.9,1825,s.4.

No interest or penalty demandable on . . . . . Act12,1841,s.2.

Protection of estates of wards of Court and minors from sale for arrears . . . . . Ben.Act9,1879,ss.23to26.

See also PERMANENT SETTLEMENT, 1.

Arrears of land-revenue, and demands recoverable as such arrears:

(1) Recovery of, under Act 11, 1859:

Local extent of Act 11, 1859 . . . . . Act,11,1859,s.62.

"Arrear of revenue" defined . . . . . ,, s.2.

"Collector" includes Deputy Collector . . . . . s.61. Ben.Act7,1868,s.1.

Definitions of "estate," "jurisdiction," "proprietor," "revenue," "tenure" . . . . . Ben.Act7,1868,s.1.

Board to determine dates for payment of arrears and demands; notification of sales . . . . . Act11,1859,s.3.

In default of payment of arrear or demand on due date estate to be sold at public auction to highest bidder, but notification of arrears or demand and of latest day for payment to be first published in certain cases . . ,, ss.3,5. Ben.Act7,1868,s.11.

Power of Local Government to authorise Collectors to issue notices to proprietors before realizing arrears; recovery of costs of serving such notices . . . . . ,, s.6.

Power to sell tenures in same way as estates; residue of purchase-money to be held for tenure-holder; notice of arrear and latest day for payment when to be issued . . ,, s.11.

Sale to be effected after notification thereof; payment after sunset of latest day for payment not to stop sale . . Act11,1859,s.6.

When separate account opened for share of estate, that share to be put up for sale in the first instance, for recovery of arrears due in respect of it . . . . . ,, ss.13,14. Ben.Act7,1876,s.71.

Act 11, 1859, ss. 13, 14, not affected by Estates Partition Act, 1897 . . . . . Ben.Act5,1897,s.16.

Place for holding sale . . . . . Act11,1859,s.19.

Power to adjourn sale . . . . . ,, s.20.

Order in which estates are to be sold . . . . . ,, s.21.

Restrictions on sale of estates held under attachment by Revenue-authorities . . . . . ,, s.17.

LAND-REVENUE—*contd.*

III.—BENGAL (EXCEPT CALCUTTA AND SAMBALPUR DISTRICT)—*contd.*

4. Collection of Land-revenue—*contd.*

Arrears of land-revenue, and demands recoverable as such arrears—*contd.*

(1) Recovery of, under Act 11, 1859—*contd.*

Power of Revenue-authorities to exempt estate or share from sale . . . . . Act11,1859,s.18.

Claims of defaulter against Government and unappropriated deposits with Collector, not to bar or invalidate sale . „ s.8.

Effect of deposit by person having interest in estate, when made before latest day for payment . . . . . „ s.9.

Deposit with Collector for payment of arrears as they accrue, so as to prevent sale; power to withdraw deposit . . „ ss.15,16.

Fee on application under Act 11, 1859, ss. 15, 16 . . Ben.Act3,1862,s.3,Sch.

Deposit by purchaser; balance of purchase-money when to be paid; punishment for not paying balance; re-sale on default in payment . . . . . Act11,1859,ss.22to24,56, 57.

Sale when final . . . . . „ s.27.

Certificate of title to be given when sale final . . . „ s.28,Sch.A. Ben.Act7,1868,s.11.

„ „ to be conclusive evidence of regularity in service of notices . . . . . Ben.Act7,1868,s.8.

Delivery of possession, after sale, how to be effected . . Act11,1859,s.29.

Application of purchase-money . . . . . „ s.31. Ben.Act7,1868,s.11.

Purchaser liable for all revenue falling due after latest day on which arrear, for which estate was sold, ought to have been paid . . . . . Act11,1859,s.30.

Notice to raiyats and under-tenants not to pay to defaulting proprietor rent falling due after latest day for payment of arrear . . . . . „ s.7. Ben.Act7,1868,s.7.

Recovery by defaulter of rent which accrued before such latest day . . . . . Act11,1859,s.55.

Purchaser of permanently-settled estate sold for its own arrears: rights of, as to avoidance of incumbrances and under-tenures, enhancement of rent and ejectment of tenants „ s.37.

Purchaser of estate, not permanently settled, sold for its own arrears: rights of, as to avoidance of incumbrances and tenures, and enhancement of rent . . . . . „ s.52.

Rights of purchasers of estates in other cases . . . „ ss.53,54.

Purchaser of tenure sold for its own arrears: rights of, as to avoidance of incumbrances and under-tenures, ejectment of tenants and enhancement of rent . . . . . Ben.Act7,1868,ss.12to14.

Appeal to Commissioner against sale; his power to annul sale on such appeal, and award compensation . . Ben.Act7,1868,s.2.

Power of Local Government to annul sale; procedure after annulment . . . . . Act11,1859,ss.26,32.

Restrictions on annulment of sale by Civil Court; procedure after annulment . . . . . „ ss.33to35.

Suit to oust certified purchaser on ground that purchase was made for another, to be dismissed with costs . . „ s.36.

LAND-REVENUE—*contd.*

III.—BENGAL (EXCEPT CALCUTTA AND SAMBALPUR DISTRICT)—*concld.*

4. Collection of Land-revenue—*concld.*

Arrears of land-revenue, and demands recoverable as such arrears—*concld.*

(1) Recovery of, under Act 11, 1859—*concld.*

Power to purchase estate on account of Government . . Act11,1859,s.58.

Ben. Regs. 7, 1822, and 9, 1825, applied to estates purchased on account of Government . . . . . ,, s.60.

Estates to be deemed, for purposes of Act 11, 1859, and Ben. Act 7, 1868, to be within the Collectorate of the Collector upon whose general register the revenue thereof is borne . . . . . Ben.Act7,1868,s.10.

Punishment for contempt committed in presence of Collector; default in making deposit under s. 22 deemed a contempt . . . . . Act11,1859,ss.56,57.

Mode of serving notices . . . . . Ben.Act7,1868,s.5.

Procedure where arrear is due in respect of a settled estate . Ben.Act3,1904,ss.33,34.

Registration to secure tenures and farms against auction-purchaser at sale for arrear. *See* REGISTRATION OF LAND.

(2) Recovery of, under Ben. Act 1, 1895. *See* PUBLIC DEMANDS, III.

5. Miscellaneous.

Cuttack:

Regulations as to settlement and collection of revenue and conduct of officers employed in those duties, declared in force in Cuttack, except as modified by Ben. Reg. 12, 1805 . Ben.Reg.12,1805,s.36.

Ghatwali Mahals, Beerbhoom:

Ghatwals to retain their lands so long as they pay assessed revenue . . . . . Ben.Reg.29,1814,s.2.

To be considered as forming part of the zamindari of Beerbhoom; collection of revenue, and payment thereout of zamindar's dues . . . . . ,, ss.3to5.

Sale, etc., of tenure for arrears . . . . . ,, s.5.

Rules for khas management applied to estates purchased by Government on sale for arrears of revenue, and other estates, the property of Government . . . . . Ben.Reg.11,1822,s.36.

Village accounts: three copies of, to be prepared, for offices of Collector, patwari and kanungo, respectively; accounts when and how to be furnished; inspection of accounts . . . Ben.Reg.9,1833,ss.12,13.

IV.—CALCUTTA.

Rate for assessment of unassessed lands . . . . . Act23,1850,s.1.

Revenue-free tenures, when valid . . . . . Act23,1850,s.2.

Enquiry into claims to hold land free of revenue; assessment of such land . . . . . ,, s.8.

Recovery of land-revenue; deduction by occupier from rent; priority of Government claim over other claims . . . ,, ss.3,4-7.

LAND-REVENUE—*contd.*

IV.—CALCUTTA—*contd.*

Penalty for obstructing Collector or his subordinates . . Act23,1850,s.9.
Power of Collector to punish contempts; appeal to Commissioner „ s.10.
Control over Collector . . . . . „ s.11.
Meaning of "Collector" and "Commissioner" . . . . „ s.14.
Bar to jurisdiction of High Court . . . . . „ s.12.
Jurisdiction of Courts at sadr station of Twenty-four Parganas; limitation of suits . . . . . „ s.13.
Power of Collector to entrust his duties to Deputy Collector; application to Calcutta of general law relating to Deputy Collectors . . . . . Act18,1856,s.3.

V.—EASTERN BENGAL AND ASSAM.

A.—GENERALLY.

1. Preliminary.

Territorial extension of Ben. Reg. 5, 1816 . . . . . (E.B.)Ben.Reg.1,1819,s.4 (*1*).
Ben. Reg. 7, 1822, extended to—
all lands not included in permanently-settled estates, all estates held khas, and . . . . . (E.B.)Ben.Reg.9,1825,s.2.
the Sundarbans, and certain other extensive forests and wastes and estates bordering thereon . . . . . (E.B.)Ben.Reg.9,1825,s.2.
List of divisions and districts; power to transfer districts from one division to another . . . . . (E.B.)Ben.Reg.1,1829,s.2.
Power of Local Government to create districts . . . (E.B.) Act21,1836.
„ „ „ to alter limits of districts . . (E.B.)Ben.Reg.4,1821,s.8 (*1*) (E.B.)Ben.Act4,1864.

2. Revenue-authorities.

Collectors to be members of Indian Civil Service . . . (E.B.&A.)Ben.Reg.2,1793, s.3.
„ to collect the revenue . . . . . „ ss.3,7,8.
„ to be subject to Board of Revenue . . . . „ ss.4,7,8.
„ to use seal . . . . . „ s.5.
„ to keep diary . . . . . „ s.6.
„ to preserve accounts and records . . . . „ s.20.
„ to make settlements of khas or farmed estates . . „ s.8.
„ other duties to be performed by . . . . .
„ native officers to be subordinate to . . . . „ s.9.
„ not to employ their private servants in public matters „ s.10.
„ responsibility of, for money committed to their charge „ s.11.
„ senior Assistant Collector to officiate for Collector dying, etc. . . . . „ s.14.
„ not to exercise authority beyond their districts without orders . . . . . „ s.24.
„ power to alter number of Collectors and authorize Collectors to exercise powers in particular areas . (E.B.)Ben.Reg.4,1821, s.8(*1*).
„ power of Board of Revenue to depute subordinate to perform functions of Collector; report to Local Government . . . . . „ s.8(*2*).

LAND-REVENUE—*contd.*

V.—EASTERN BENGAL AND ASSAM—*co*

A.—GENERALLY—*contd.*

2. Revenue-authorities—*contd.*

Collectors; power of Collector to delegate his duties to an Assistant; report when to be made to Board . . . } (E. B.)Ben.Reg.4,1821, s.8(3).

, persons exercising functions of Collector to have same responsibilities as Collector . . . . . } „ s.8(5).

„ "Collector," as used in the Regulations, to include officers duly exercising authority of Collector . } (E.B.)Ben.Reg.7,1822,s.35.

Deputy Collectors:

Appointment of . . . . . } (E.B.)Ben.Reg.9,1833,ss. 16,17.

Natives eligible for office . . . . . „ s.17.

Remuneration of . . . . . „ s.18.

Subordination of; duties of; record of proceedings of . . „ ss.20to24.

Suspension and removal of . . . . . „ s.25.

Commissioners: appointment of; power to increase number of . (E.B.)Ben.Reg.1,1829,s.2.

„ to have powers of Board of Revenue and Court of Wards . . . . . } „ s.4(1).

„ form of proceedings of; place of residence of . „ s.4(2).

„ powers of, where Collectors, etc., have authority in another Division . . . . . } „ s.4(3).

Board of Revenue:

Number of Members . . . . . } (E.B.&A.)Ben.Reg.3,1822, s.4(1).

Exercise of powers by one Member . . . . . „ s.5(1),(3),(5),(6).

Procedure in case of difference of opinion between members . „ s.5(2),(7).

Two members when necessary to appoint, remove or punish officers . . . . . } „ s.5(4),(5).

Board may review, etc., their decisions . . . . . „ s.5(6).

"Board of Revenue," as used in the Regulations, to include Commissions, etc., vested by Governor General in Council with powers of such Board . . . . . } (E.B.)Ben.Reg.7,1822,s.35.

Powers of Board of Revenue as to requiring personal attendance of native officers and proprietors, etc., of land . } (E.B.&A.)Ben.Reg.2,1793, s.33.

Board to furnish accounts to, and obey orders of Local Government . . . . . } „ s.45.

Commissioners to have powers of Board of Revenue . . } (E.B.)Ben.Reg. 1,1829,s.4 (1).

Form of proceedings of Board; members where to reside . „ s.4(2).

Functions of Board of Customs, Salt and Opium transferred to Board of Revenue . . . . . } (E.B.&A.)Act44,1850,s.2.

Board of Revenue in Eastern Bengal and Assam; constitution and functions of . . . . . } (E.B.&A.)Act7,1905,ss.3,4, Schs.A,B,D.

Native cash-keepers; appointment, removal and responsibility of } (E.B.&A.)Ben.Reg.2,1793, s.11.

Native officers; appointment, removal and employment of . „ s.13.

Officers not to be privately interested in collection of revenue, purchase of land, etc. . . . . } „ ss.15,16.

Collectors and assistants not to trade . . . . . „ s.18.

LAND-REVENUE—*contd.*

V.—EASTERN BENGAL AND ASSAM—*contd.*

A.—GENERALLY—*contd.*

2. Revenue-authorities—*contd.*

Duties of officers, as to receipts for revenue . . . . . (E.B.&A.)Ben.Reg.2,1793, s.25.

" " " for salaries, etc. . . . . " s.26.

Power, when officer is deputed to hold inquiry in mahal, to invest him with powers in regard to lands held free of assessment in adjoining villages . . . . . (E.B.)Ben.Reg.9,1825,s.6.

3. Settlement, and Assessment of Land-revenue.

(*a*) SETTLEMENT GENERALLY.

Permanent Settlement. *See* PERMANENT SETTLEMENT.

Power of Board of Revenue to order settlement of lands held khas . . . . . (E.B.&A.)Ben.Reg.2,1793, s.36.

Settlement of lands held in khas to be made—

by Collector, or . . . . . " ss.8(4),39.

by person specially deputed by Board of Revenue . . . " s.39.

On conclusion of settlement, Board to issue parwana . . " s.40.

Settlement to be made with actual proprietors of the soil; exception in case of certain females, minors, lunatics and other incapacitated persons and proprietors in arrear; management of lands of excepted persons . . . . . (E.B.&A.)Ben.Reg.8,1793, ss.4,20,21,22.

Separated taluqdars to pay revenue direct into treasury or to tahsildar, and not through proprietors; who to be appointed tahsildars . . . . . " ss.13to15.

Provisions of Ben. Reg. 8, 1793, as to separable taluqs do not apply to new taluqs constituted since the decennial settlement; transfers of taluqs declared void if separate allotment of assessment was not obtained . . . . . (E.B.)Ben.Reg.1,1801,s. 14.

Istimrardars to be considered as patta taluqdars; settlement to be made with them . . . . . (E.B.&A.)Ben.Reg.8,1793, s.19.

Decision of majority of proprietors as to acceptance or rejection of proposed assessment to bind minority; partition of lands and proportionate allotment of revenue obtainable at expense of dissatisfied sharer . . . . . " s.26.

When lands divided, settlement to be made separately for each share with proprietor in possession . . . . . " s.27.

Settlement with whom to be made in case of dispute as to proprietary right; procedure where no claimant in possession and no manager appointed . . . . . " ss.30,31.

Settlement with whom to be made in case of dispute as to boundaries . . . . . (E.B.&A.)Ben.Reg. 8,1793,s.3

Powers of Collector where Regulations inapplicable to circumstances of district . . . . . " s.67(*s*).

Settlement not binding on Government unless made or confirmed in accordance with rules sanctioned by Governor General in Council . . . . . (E.B.&A.)Ben.Reg.3,1822, s.5(*l*).

Settlement to be made of estates let in farm or held khas; new leases not to exceed twelve years; power to exclude turbulent Rajas, etc. . . . . (E.B.)Ben.Reg.7,1822,s.3.

LAND-REVENUE—*contd.*

V.—EASTERN BENGAL AND ASSAM—*contd.*

A.—GENERALLY—*contd*

3. Settlement, and Assessment of Land-revenue—*contd.*

(*a*) SETTLEMENT GENERALLY—*contd.*

Revenue-officers empowered to adjust the respective rights of sadr malguzars and under-tenants; if result is to materially reduce zamindar's or malguzar's profits, he may relinquish his engagement; and mahal must then be settled *de novo* . . — (E.B.)Ben.Reg.7,1822, s.4.

Revised rules as to allowance to be made to zamindars and malguzars excluded from management of their mahals . . — „ s.5. (E.B.)Ben.Reg.9,1833,s.11.

Power to revise settlement of estates during continuance of leases; revision how to be made; grant of renewed leases; limit to assessment . . . . . — (E.B.)Ben.Reg.7,1822,ss. 6,7.

Power of Revenue-officer to grant leases of waste-land for cultivation and to assign an allowance to zamindars, etc., having rights therein . . . . . — „ s.8.

Collectors, in making or revising settlements,—

to ascertain and record full information in regard to landed tenures and the rights, etc., of the various classes of the agricultural community, and . . . . . — „ s.9(*1*).

to record lakhiraj tenures . . . . . — „ s.9(*1*).

Cesses and collections not taken into account in fixing assessments to be void, unless specially sanctioned by Government . — „ s.9(*1*).

Power of Collector to grant pattas to owners and occupants of land . . . . . — „ s.9(*2*).

Power to take five years' engagements for revenue without completing detailed inquiry . . . . . — „ s.9(*3*).

Settlement with whom to be made where there are several holders . . . . . — „ s.10.

Power to prescribe distribution of profit resulting from limitation of jama . . . . . — „ s.10(*1*).

Collector, in making registry, to proceed on basis of actual possession . . . . . — „ s.11.

Power of Collector to re-distribute charges and revenue payable by co-purchasers, and to partition land; his decision may be contested by suit in District Court . . . . . — „ s.12.

Collectors not to disturb possession; claims of persons not in possession to be decided by suit . . . . . — „ s.13.

Collector empowered, subject to suit in Civil Court, to—

declare nature and extent of interests of persons in possession of land . . . . . — „ s.14(*1*)to(*3*).

restore possession to persons wrongfully dispossessed within a year . . . . . — „ s.14(*4*),(*5*).

take cognizance of claims to property in resumed mahal . — „ s.15.

„ „ „ to lands held revenue-free or at a mukarrari jama . . . — „ s.17.

Collector may be specially empowered to take cognizance of claims to property in any estate under settlement, subject to suit in Civil Court . . . . . — „ s.16.

Collector to be judge of question of jurisdiction, subject to suit in Civil Court . . . . . — „ s.18.

LAND-REVENUE—*contd.*

V.—EASTERN BENGAL AND ASSAM—*contd.*

A.—GENERALLY—*concld.*

3. Settlement, and Assessment of Land-revenue—*contd.*

(*a*) SETTLEMENT GENERALLY—*contd.*

Powers of Collector as to enforcing attendance of, and examining, witnesses; application of Ben. Reg. 2, 1819	(E.B.)Ben.Reg.7,1822,	s.19.
Power of Government to restrict Collectors' settlement powers, and to invest Collectors with settlement powers when not making or revising settlements	,,	s.20[1].
Process for requiring attendance of parties before Collectors	,,	s.21.[1]
Collector's office deemed to be Civil Court	,,	s.23(*1*)[1]
Suits to contest Collectors' decisions under Ben. Reg. 7, 1822, ss. 11, 12, 14 to 20, to be deemed appeals from summary awards	,,	s.23(*2*).[1]
Collectors authorized to execute their own awards under Ben. Reg. 7, 1822	,,	s.23(*3*).[1]
Collectors empowered to depute native officers to make inquiries preparatory to settlement; powers of such officers	,,	s.24(*1*).[1]
Process or order of Revenue-officer: punishment for resistance or obstruction to; Police to aid in execution of	,,	s.24(*2*),(*3*).[1]
Pleadings in suits	,,	s.26.[1].
Place for trial of suits by Collectors	,,	s.28.[1]
Appeal to Board from decisions of Collectors in suits	,,	s.29.[1]
Limitation of such appeals	(E.B.)Ben.Act3,1868,	s.1.
Right to institute suit in Civil Court instead of moving Collector to act summarily	(E.B.)Ben.Reg.7,1822,	s. 30.[1]
When suit instituted to contest Collector's summary decision, his proceedings to be filed on record	,,	s.31.[1]
Reports by Collectors to Board and by Board to Government, as to causes decided or pending	,,	s.32.[1]
Arbitration	(E.B.)Ben.Reg.7,1822,ss. 33,34.[1]. (E.B.)Ben.Reg.9,1833,ss. 5to10.	
Power of Collector to interfere in cases of disputed possession	(E.B.)Ben.Reg.7,1822,s. 34.[1] (E.B.)Ben.Reg.4,1828,s.2 (*4*).	
Power to invest officers with powers specified in Ben. Reg. 7, 1822, s. 20: application of s. 21 and following sections of that Regulation when officers so empowered.	(E.B.)Ben.Reg.9,1825,s. 5.	
Application of Ben. Reg. 7, 1822, ss. 23 (*1*), 28, to cases investigated under Ben. Reg. 2, 1819, or Ben. Reg. 9, 1825	,,	s.5(9).
Lands held free of assessment to be specified in proceedings of Collector making settlement under Ben. Reg. 7, 1822	,,	s.7.
Duration of settlement proceedings	(E.B.)Ben.Reg.4,1828,s.2 (*4*).	
Police-officers to support Revenue-officers in execution of their duties	,,	s.2(*4*).

[1] So much of s. 20 and following sections of Ben. Reg. 7,1822, as relates to account is repealed by Act 10,1859.

LAND-REVENUE—*contd.*

V.—EASTERN BENGAL AND ASSAM—*contd.*

A.—GENERALLY—*contd.*

3. Settlement, and Assessment of Land-revenue—*contd.*

(*b*) ASSESSMENT GENERALLY.

Allowances of kázis and kánungos, and pensions, paid by or through landholders, to be added to jama . . . . . (E.B.&A.)Ben.Reg.8,1793, s.34.

Assessment to exclude—

certain sair collections, etc. . . . . ,, s.35.

lakhiraj lands . . . . . ,, s.36.

Assessment to include—

proprietors' private lands . . . . . ,, ss.37,39,40.

chakaran lands . . . . . ,, s.41.

Procedure where proprietor declines to engage for settlement at proposed assessment . . . . . ,, s.43.

Following lands to be assessed—

lands not already settled and not legally held free of revenue . . . (E.B.)Ben.Reg.2, 1819,s.3(*1*).

lands gained by alluvion or dereliction . . . . . ,, s.3(*2*).

lands not permanently assessed . . . . . ,, s.3(*3*).

Investigation to determine whether lands held wholly or partially free of revenue are liable to assessment or increased assessment:

Investigation to be made by Collector; service of notices; penalties on parties, patwaris, etc., refusing to give evidence, etc.; examination of documents and witnesses; report by Collector to Board; final decision to rest with Board . . (E.B.)Ben.Reg.2,1819,ss. 5to21.

Landholder to give security for payment of assessment and institute suit to try justice of demand; in default, Collector to proceed to final assessment . . . . . ,, ss.22,23.

Modification of Ben. Reg. 2, 1819, ss. 5, 6, 8, 10, 11, 13, 15, 22 . (E.B.)Ben.Reg.9,1825,s.5.

Ben. Reg. 2, 1819, s. 22, not to apply where lands illegally held free of revenue . . . . . ,, s.8.

Suits to contest assessment: limitation of; appeal to High Court; procedure . . . . . (E.B.)Ben.Reg.2,1819,ss. 24,26. (E.B.)Ben.Reg.14,1825,s. 6. (E.B.)Ben.Reg.3,1828,s. 10(*3*)to(*5*).

Application of Ben. Reg. 2, 1819, ss. 11 to 14, 19, extended . (E.B.)Ben.Reg.7,1822, s.19(*2*).

Application of Ben. Reg. 2, 1819, to investigation of cases in which Collector considers that land belongs to Government and that no person has *bonâ fide* possession of the land . (E.B.)Ben.Reg.9,1825,s.5 (*12*).

Decision of Board under Ben. Reg. 2, 1819, s. 21, to be carried into effect notwithstanding suit to contest it; person declining to pay assessment to be dispossessed . . . . (E.B.)Ben.Reg.3,1828,s.10. (*2*).

Farmans, sanads and grants by Native Rulers to be carefully examined and not received in evidence unless registered . (E.B.)Ben.Reg.2,1819,s. 28.

Ben. Reg. 2, 1819, not to affect right of proprietors to waste-land guaranteed at permanent settlement . . . . . ,, s.31(*1*).

LAND-REVENUE—*contd.*

V.—EASTERN BENGAL AND ASSAM—*contd.*

A.—GENERALLY—*contd.*

3. Settlement, and Assessment of Land-revenue—*contd.*

(*b*) ASSESSMENT GENERALLY—*concld.*

Revenue-authorities not to claim additional revenue from lands in estates for which permanent settlement made, unless the lands were expressly excluded from that settlement . . . (E.B.)Ben.Reg.2, 1819, s.31(*2*).

Unregistered tenures to be liable to resumption, unless declared hereditary by decree of competent Court; assessment of revenue (E.B.)Ben.Reg.3,1828,s. 12.

Application of Ben. Reg. 2, 1819, to settlement of claims in respect of land granted by Government in Sundarbans . . „ s.13.

Alteration of assessment when land lost or gained by diluvion or alluvion; indemnity to Government officers; repeal of prior Regulations . . . . . (E.B.)Act9,1847,ss.1,5,6, 9.

Addition of revenue assessed upon alluvial land to jama of original estate; separate settlement of alluvial land when to be made; saving of rights of under-tenants; record of such rights . . (E.B.) Act31,1858,ss.1,2.

Assessment how affected by partition. *See* PARTITION, ETC.

(*c*) REVENUE-FREE GRANTS.

(*i*) *Non-badshahi Lakhiraj Grants.*

Grants made before 12th August, 1765, and not subsequently rendered subject to payment of revenue:

Declared valid, provided grantee obtained possession . . (E.B.)Ben.Reg.19,1793,s.2 (*1*).

Reference of doubtful claims to Local Government . .

Claims barred when made after payment of revenue for twelve years . . . . . „ s.2(*2*).

Grants for life or a term not extended, unless duly confirmed by Government as hereditary tenures . . . . „ ss.2(*3*)to(*5*),47.

Grants made between 12th August, 1765, and 1st December, 1790, and not confirmed by Government:

Declared invalid; exception as to grants made under Government authority and small grants made for religious or charitable uses . . . . . „ s.3(*1*),(*3*),(*4*).

Reference of doubtful claims to Local Government . . „ s.3(*2*).

Grants made before 1st December, 1790:

Declared void if forged, altered or antedated . . . „ s.17.

Registration of valid grants; grants not duly registered declared invalid, and must be assessed to revenue; registration not conclusive as to title to land or to exemption from revenue; lands so assessed to be entered in Collector's registers „ ss.24,26to28. (E.B.) Ben.Reg.8,1800,s. 19.

Declaration of invalidity or nullity affects only payment of revenue, grantee retaining proprietary right . . . (E.B.)Ben.Reg.19,1793,ss. 4,17,27.

Assessment of, to revenue:

Amount of assessment; procedure for making assessment . „ ss.5,8,9.

Revenue to whom to belong, and how recoverable . . „ ss.6,7,11.

Grants made after 1st December, 1790, otherwise than by Local Government:

Declared void . . . . . (E.B.)Ben.Reg.19,1793,s. 10.

LAND-REVENUE—*contd.*

V.—EASTERN BENGAL AND ASSAM—*contd.*

A.—GENERALLY—*contd.*

3. Settlement, and Assessment of Land-revenue—*contd*

(*c*) REVENUE-FREE GRANTS—*contd.*

(*i*) *Non-badshahi Lakhiraj Grants*—contd.

Grants made after 1st December, 1790, otherwise than by Local Government—*contd.*

Ben. Reg. 19, 1793, s. 10, not affected by other Regulations; assessment of lands illegally held free of revenue . . (E.B.)Ben.Reg.9,1825,s.8.

Grants which are hereditary, and are declared valid by Reg. 19, 1793, or confirmed by Government, may be transferred; registration of transferees . . . . . (E.B.)Ben.Reg.19,1793,s. 20.

Conduct of suits against Government by persons claiming right to hold land free of revenue . . . . . ,, s.15.

Ben. Reg. 19, 1793, not to—

annul grants made or confirmed by superintendents of the bazi-zamin daftar . . . . . ,, s.48.

extend to badshahi grants . . . . . ,, s.49.

Modification of Ben. Reg. 19, 1793 . . . . . (E.B.)Ben.Reg.14,1825,s. 3.

(*ii*) *Badshahi Lakhiraj Grants.*

Grants made before 12th August, 1765, and not subsequently resumed by Government:

Declared valid, provided grantee obtained possession . . (E.B.)Ben.Reg.37,1793,s.2 (*1*).

Reference of doubtful claims to Local Government . .

Claims barred when made after payment of revenue for twelve years . . . . . ,, s.2(*2*).

Grants for life not extended . . . . . ,, s.2(*3*)to(*5*).

Grants made after 12th August, 1765, and not confirmed by Government:

Declared invalid . . . . . ,, s.3(*1*).

Reference of doubtful claims to Local Government . . ,, s.3(*2*).

Grants forged, altered or antedated, declared void . . . ,, s.12.

Registration of valid grants; grants not duly registered declared liable to resumption and lands liable to payment of revenue; registration not conclusive as to title to land or validity of grant; lands so assessed to be entered in Collector's registers ,, ss.19,21to23. (E.B.)Ben.Reg.8,1800,s.19.

Declaration of invalidity affects only payment of Government revenue; claims as to proprietary right to be referred to Court . . . . . (E.B.)Ben.Reg.37,1793,s.4.

Escheated life-grant: attachment of revenue of; order for resumption to be obtained . . . . . ,, s.5.

Assessment of, to revenue, on resumption or expiration of grant or on escheat . . . . . ,, s.6.

Certain grants declared hereditary . . . . . .

Jagirs to be considered as life-tenures only . . . . .

Grants which are hereditary, and are declared valid by Reg. 37, 1793, or confirmed by Government, may be transferred; registration of transferees . . . . . ,, s.15.

LAND-REVENUE—*contd.*

V.—EASTERN BENGAL AND ASSAM—*contd.*

A.—GENERALLY—*contd.*

3. Settlement, and Assessment of Land-revenue—*concld.*

(*c*) REVENUE-FREE GRANTS—*contd.*

(*ii*) *Badshahi Lakhiraj Grants*—contd.

Conduct of suits against Government by persons claiming right to hold land free of revenue . . . . . (E.B.)Ben.Reg.37,1793, s.10.

Power to continue occupant in possession when revenue resumed, on his engaging for future assessment . . . . . (E.B.)Ben.Reg.13,1825, s.5.

Ben. Reg. 37, 1793, not to extend to non-badshahi grants . . (E.B.)Ben.Reg.37,1793,s. 42.

Modification of Ben. Reg. 37, 1793 . . . . . (E.B.)Ben.Reg.14,1825,s.3.

(iii) Grants for holding lands under tenures limiting the Government demand.

Provisions in Ben. Regs. 19 and 37, 1793, for determining validity of revenue-free grants, declared applicable to . . . (E.B.)Ben.Reg.2,1819,s.4.

Person succeeding to possession of, to report to Collector; procedure on failure to report . . . . . (E.B.)Ben.Reg.3,1828,s.11 (*2*),(*3*).

(*iv*) *Miscellaneous.*

Revenue of lands held by kanungos declared to be liable to resumption . . . . . (E.B.)Ben.Reg.5,1816,ss. 5,6.

Power to continue minhaidars in possession of resumed lands formerly held as lakhiraj by kanungos; continued payment of proprietor's dues; minhaidars' tenures declared heritable and transferable . . . . . (E.B.)Ben.Reg.13,1825, ss.2,3.

Ben. Reg. 13, 1825, ss. 2, 3, applied to certain other lakhiraj resumptions . . . . . ,, ss.4,5.

Lakhiraj tenures under what circumstances alone valid . . (E.B)Ben.Reg.14.1825,s.2.

Principles to be observed in determining validity of grants made before acquisition of territory by British Government . . ,, ss.3,4.

Person succeeding to possession of revenue-free grant to report to Collector; procedure on failure to report . . . . (E.B.)Ben.Reg.3,1828,s.11 (*2*),(*3*).

Suits by proprietors, etc., to resume revenue of land held free of assessment, and suits by persons claiming to hold land exempt from revenue, to be determined by Civil Courts . . . (E.B.)Ben.Act7,1862,s.2.

See also above, (*a*), (*b*) (Investigation to determine, etc.); PERMANENT SETTLEMENT.

4. Collection of Land-revenue.

Land to be security for payment of revenue; surety required where land let in farm . . . . . (E.B.&A.)Ben.Reg.2,1793, s.37.

Remissions not to be granted without sanction of Local Government . . . . . ,, ss.38,43.

Powers of Board as to granting temporary suspensions . . ,, s.42.

Revenue to be collected by Collector, under supervision of Board; Collector's power of coercion . . . . . ,, ss.8,41.

Responsibility of zamindars or malguzars for payment of revenue when they hold on after expiration of lease . . . . (E.B.)Ben.Reg.7,1822,s.2 (*6*).

V.—EASTERN BENGAL AND ASSAM—*contd.*

A.—GENERALLY—*contd.*

4. Collection of Land-revenue—*contd.*

Opening of separate account to admit sharers of estates of paying their shares of revenue separately . . . . . (E.B.)Act11,1859,ss.10to12.

Account not to be opened for a sharer under Act 11, 1859, s. 10 or s. 11, except for a share corresponding with the character and extent of his interest as recorded under Ben. Act 7, 1876 (E.B.)Ben.Act7,1876,s.69.

Power to open separate account under Act 11, 1859, for undivided interest held by proprietor in specific lands; fee; application of Act 11, 1859, s. 12 . . . . . ,, ss.70,71.

Closing of accounts opened under Act 11, 1859, or Ben. Act 7, 1876, and opening of fresh accounts; applicants when to be referred to Civil Court; power of Collector to close account otherwise than on application . . . . . ,, ss.72to74A.

Act 11, 1859, ss. 10 to 12, not affected by Estates Partition Act, 1897 . . . . . (E.B.)Ben.Act5,1897,s.16.

Collection how affected by partition. *See* PARTITION.

Arrears of land-revenue:

Recovery of arrears payable to tahsildar, etc. . . . . (E.B.)Ben.Reg.8,1794,s.13.

Purchaser of land sold to attend Collector and execute engagement for payment of revenue assessed thereon . . . (E.B.)Ben.Reg.1,1801,s.10.

Sale of entire estate not to be annulled on ground that sharer had not obtained possession of his interest . . .
Board of Revenue to decide whether entire estate or part only should be sold . . . . . (E.B.)Ben.Reg.5,1812,s.24.

Sale of estate or share not to be annulled on ground that proceeds exceeded amount of arrear . . . . .
Board of Revenue to decide whether entire estate or part only should be sold . . . . . ,, s.25.

Assistant Magistrates, etc., to follow procedure prescribed for Collector, in instituting suit for recovery of . . . (E.B.)Ben.Reg.4,1821,s.7.

Power to farm mahal (not permanently settled), or hold it in khas management, for recovery of . . . . . (E.B.)Ben.Reg.9,1825,s.4.

No interest or penalty demandable on . . . . . (E.B.)Act12,1841,s.2.

Protection of estates of wards of Court and minors from sale for arrears . . . . . (E.B.&A.)Ben.Act9,1879,ss.23to26.

See also PERMANENT SETTLEMENT.

Arrears of land-revenue, and demands recoverable as such arrears:

(1) Recovery of, under Act 11, 1859:

Local extent of Act 11, 1859 . . . . . (E.B.)Act11,1859,s.62.

"Arrear of revenue" defined . . . . . (E.B.)Act11,1859,s.2.

"Collector" includes Deputy Collector . . . . . ,, s.61.
(E.B.)Act7,1868,s.1.

Definitions of "estate," "jurisdiction," "proprietor," "revenue," "tenure" . . . . . ,, s.1.

Board to determine dates for payment of arrears and demands; notification of sales . . . . . (E.B.)Act11,1859,s.3.

LAND-REVENUE—*contd.*

V.—EASTERN BENGAL AND ASSAM—*contd.*

A.—GENERALLY—*contd.*

4. Collection of Land-revenue—*contd.*

Arrears of land-revenue, and demands recoverable as such arrears—*contd.*

(1) Recovery of, under Act 11, 1859—*contd.*

In default of payment of arrear or demand on due date, estate to be sold at public auction to highest bidder, but notification of arrears or demand and of latest day for payment to be first published in certain cases	(E.B.)Act11,1859,ss.3,5. (E.B.)Ben.Act7,1868,s.11.
Power of Local Government to authorize Collectors to issue notices to proprietors before realizing arrears; recovery of costs of serving such notices	s.6.
Power to sell tenures in same way as estates; residue of purchase-money to be held for tenureholder; notice of arrear and latest day for payment when to be issued	s.11.
Sale to be effected after notification thereof; payment after sunset of latest day for payment not to stop sale	(E.B.)Act11,1859,s.6.
When separate account opened for share of estate, that share to be put up for sale in the first instance, for recovery of arrears due in respect of it	,, ss.13,14. (E.B.)Ben.Act7,1876,s.71.
Act 11, 1859, ss. 13, 14, not affected by Estates Partition Act, 1897	(E.B.)Ben.Act5,1897,s.16.
Place for holding sale	(E.B.)Act11,1859,s.19.
Power to adjourn sale	,, s.20.
Order in which estates are to be sold	,, s.21.
Restrictions on sale of estates held under attachment by Revenue-authorities	,, s.17.
Power of Revenue-authorities to exempt estate or share from sale	,, s.18.
Claims of defaulter against Government, and unappropriated deposits with Collector, not to bar or invalidate sale	,, s.8.
Effect of deposit by person having interest in estate when made before latest day for payment	,, s.9.
Deposit with Collector for payment of arrears as they accrue, so as to prevent sale; power to withdraw deposit	,, ss.15,16.
Fees on applications under Act 11, 1859, ss. 15, 16	(E.B.)Ben.Act3,1862,s.3, Sch.
Deposit by purchaser; balance of purchase-money when to be paid; punishment for not paying balance; re-sale on default in payment	(E.B.)Act11,1859,ss.22to 24,56,57.
Sale when final	,, s.27.
Certificate of title to be given when sale final	(E.B.)Act11,1859,s.28, Sch. A. (E.B.)Ben.Act7,1868,s.11.
,, ,, to be conclusive evidence of regularity in service of notices	,, s.8.
Delivery of possession, after sale how to be effected	(E.B.)Act11,1859,s.29.
Application of purchase-money	,, s.31. (E.B.)Ben.Act7,1868,s.11.

LAND-REVENUE—*contd.*

V.—EASTERN BNEGAL AND ASSAM—*contd.*

A.—GENERALLY—*contd.*

4. Collection of Land-revenue—*contd.*

Arrears of land-revenue and demands recoverable as such arrears—*contd.*

(1) Recovery of, under Act 11, 1859—*contd.*

Purchaser liable for all revenue falling due after latest day on which arrear, for which estate was sold, ought to have been paid . . . . . (E.B.)Act11,1859,s.30.

Notice to raiyats and under-tenants not to pay to defaulting proprietor rent falling due after latest day for payment of arrear . . . . . ,, s.7. (E.B.)Ben.Act7,1868,s.7.

Recovery by defaulter of rent which accrued before such latest day . . . . . (E.B.)Act11,1859,s.55.

Purchaser of permanently-settled estate sold for its own arrears: rights of, as to avoidance of incumbrances and under-tenures, enhancement of rent and ejectment of tenant . . . . . ,, s.37.

Purchaser of estate not permanently settled, sold for its own arrears: rights of, as to avoidance of incumbrances and tenures, and enhancement of rent . . . . . ,, s.52.

Rights of purchasers of estates in other cases . . . ,, ss.53,54.

Purchaser of tenure sold for its own arrears: rights of, as to avoidance of incumbrances and under-tenures, ejectment of tenants and enhancement of rent . . . . (E.B.)Ben.Act7,1868,ss.12 to14.

Appeal to Commissioner against sale; his power to annul sale on such appeal, and award compensation . . . ,, s.2.

Power of Local Government to annul sale; procedure after annulment . . . . . (E.B.)Act11,1859,ss.26,32.

Restrictions on annulment of sale by Civil Court; procedure after annulment . . . . . ,, ss.33to35.

Suit to oust certified purchaser on ground that purchase was made for another, to be dismissed with costs . . . ,, s.36.

Power to purchase estate on account of Government . . (E.B.)Act11,1859,s.58.

Ben. Regs. 7, 1822, and 9, 1825, applied to estates purchased on account of Government . . . . . ,, s.60.

Estates to be deemed, for purposes of Act 11, 1859, and Ben. Act 7, 1868, to be within the Collectorate of the Collector upon whose general register the revenue thereof is borne . (E.B.)Ben.Act7,1868,s.10.

Punishment for contempt committed in presence of Collector; default in making deposit under s. 22 deemed a contempt . . . . . (E.B.)Act11,1859,ss.56,57.

Mode of serving notices . . . . . (E.B.)Ben.Act7,1868,s.5.

Procedure where arrear is due in respect of a settled estate . (E.B.)Ben.Act3,1904,ss. 33,34.

Registration to secure tenures and farms against auction-purchaser at sale for arrear. *See* REGISTRATION OF LAND.

(2) Recovery of, in Eastern Bengal, under Ben. Act I, 1895. *See* PUBLIC DEMANDS, II.

LAND-REVENUE—*contd.*

V.—EASTERN BENGAL AND ASSAM—*contd.*

A.—GENERALLY—*concld.*

5. Miscellaneous.

Rules for khas management applied to estates purchased by Government on sale for arrears of revenue, and other estates, the property of Government . . . . . (E.B.)Ben.Reg.11,1822,s.36.

Village-accounts: three copies of, to be prepared, for offices of Collector, patwari and kanungo, respectively; accounts when and how to be furnished; inspection of accounts . . . (E.B.)Ben.Reg.9,1833,ss.12,13.

Chittagong Hill Tracts:

Power to make rules for division of tracts into circles, taluks, mauzas; revenue administration and collection of rents; appointment, etc., of chiefs, diwans, headmen . . . Reg.1,1900,s.18(2)(c)to(i).

B.—ASSAM.

1. Preliminary.

Repeal and savings . . . . . Reg.1,1886,s.2.

Definitions . . . . . ,, ss.3,67,96.

Power to constitute, and alter limits of, sub-divisions . . ,, s.125.

2. Revenue, Settlement and Survey Officers.

Revenue-officers:

Local Government . . . . . ,, s.122.

Commissioners, Deputy Commissioners, Assistant Commissioners and Extra Assistant Commissioners . . . ,, s.123.

Appointment, suspension and removal of other officers . . ,, s.124.

Authority to place Assistant Commissioner in charge of sub-division; his powers; authority to confer such powers on other officers . . . . . ,, ss.125to127.

Subordination of; transfer of cases to and withdrawal of cases from . . . . . ,, ss.128to130.

Retention of powers on transfer . . . . . ,, s.131.

Temporary Deputy Commissioner to have powers of Deputy Commissioner under Regulation . . . . . ,, s.132.

Settlement-officers and Survey-officers:

Appointment, subordination, suspension and removal of . ,, ss.133,134.

Powers of . . . . . ,, ss.135to137.

Exercise of powers of, by other officers . . . . ,, s.138.

Mode of conferring powers; withdrawal of powers . . ,, s.139.

3. Settlement.

(*a*) GENERAL.

"Settlement operations" include survey and demarcation of land, assessment of land-revenue, and record-of-rights . . ,, s.17.

Notification of settlement . . . . . ,, s.18.

Duration of settlement proceedings . . . . . ,, s.19.

Power to exclude area or estate from operation of Chapter III (ss. 17 to 47) . . . . . ,, s.20.

(*b*) SURVEY AND DEMARCATION OF LAND.

Assistance in making survey . . . . . ,, s.21.

Erection and maintenance of boundary-marks . . . . ,, ss.22to27.

Settlement of disputes as to boundary-marks . . . . ,, s.23.

Power to make rules . . . . . ,, s.27.

LAND-REVENUE—*contd.*

V.—EASTERN BENGAL AND ASSAM—*contd.*

B.—ASSAM—*contd.*

3. Settlement—*contd.*

(*c*) ASSESSMENT OF LAND-REVENUE.

What land liable to assessment; savings . . . . . Reg.1,1886, s.28.
Power to make rules as to assessment . . . . . ,, s.29.
Settlement-officer to frame and submit general proposals . . ,, s.30.
Determination of amount of assessment; offer of assessment to whom to be made . . . . . ,, ss.31,32.
Option to accept or refuse assessment; form of acceptance; effect of acceptance or refusal . . . . . ,, ss.33to36.
Apportionment of assessment . . . . . ,, s.37.
Representation of lunatics, minors, etc. . . . . ,, s.38.
Effect of decision of Settlement-officer as to settlement . . ,, s.39.

(*d*) RECORD-OF-RIGHTS.

Record to be framed . . . . . ,, s.40.
Entries to be made, and disputes settled, on basis of possession; claimants not in possession to be referred to Court . . ,, s.41(*1*).
Presumption as to correctness of entries in . . . . . ,, s.41(*2*).
Determination of dispute as to class of tenant or rent payable by him . . . . . ,, s.42.

(*e*) MISCELLANEOUS.

Inquiry by Deputy Commissioner as to land held free of assessment; assessment of such land; suit to set aside order of assessment . . . . . ,, ss.43to46.
Power to impose hoe-tax or house-tax in lieu of land-revenue . ,, s.47.

4. Revenue-administration.

(*a*) COLLECTION OF LAND-REVENUE AND SUBSTITUTED TAXES.

Liability for land-revenue . . . . . ,, ss.63to65(*5*).
,, ,, house-tax imposed in lieu of land-revenue . . ,, s.64.
Procedure when co-proprietor of permanently-settled estate desires to pay revenue separately . . . . . ,, s.65.
Revenue when due, and where, how and to whom payable . ,, s.66.
Arrear of land-revenue:
Definition of "arrear" and "defaulter" . . . . . ,, s.67.
Issue of notice of demand . . . . . ,, s.68.
Processes for recovery . . . . . ,, ss.69to91.
Application of Ch. V. (ss. 68 *et seq.*) to recovery of sums realizable under other enactments as arrears of land-revenue . ,, s.94.
Power of Local Government to make rules for execution of Ch. V . . . . . ,, s.95.
Recovery, as arrears of land-revenue, of—
costs of serving notice or process for recovery of revenue . ,, s.92.
fines, costs, etc., payable under Reg. 1, 1886 . . . ,, s.144.
rents, fees, royalties, etc., due to Government . . . ,, s.144A.
defalcations of subordinate Revenue-officers . . . ,, ss.145,146.
Recovery of arrears due at commencement of Regulation . ,, s.93.

LAND-REVENUE—*contd.*

V.—EASTERN BENGAL AND ASSAM—*contd.*

B.—ASSAM—*contd.*

4. Revenue-administration—*contd.*

(*b*) RECORDS.

Preparation and maintenance of registers	Reg. 1, 1886,	ss. 48, 49.
Registration of proprietors of estates, landholders and managers and mortgagees in possession of estates	,,	ss. 50 to 54, 57 to 59.
Registration of tenures in permanently-settled estates	,,	ss. 55 to 57.
Public entitled to inspect and to receive extracts from registers	,,	s. 60.
Power of Deputy Commissioner to pay recorded proprietors, etc., money due to them in accordance with their registered interests	,,	s. 61.
Registration not to affect right to bring suit in Civil Court, and not to amount to an admission that land is held revenue-free	,,	s. 62.

See also above, 3 (*d*).

(*c*) PARTITION AND UNION OF REVENUE-PAYING ESTATES.

Definition of "perfect partition" and "imperfect partition"	,,	s. 96.
What persons entitled to partition	,,	s. 97.
Perfect partition:		
Application for	,,	s. 98.
Ascertainment and disposal of objections to partition; reference to Civil Court	,,	ss. 99 to 101.
Making of partition by Deputy Commissioner	,,	ss. 102, 103.
Option to parties to make partition themselves or appoint arbitrators	,,	s. 103.
General powers of Deputy Commissioners, etc., in making partition	,,	s. 104.
Principles to be followed in making partition	,,	ss. 105 to 113.
Costs	,,	s. 114.
Power to stay proceedings	,,	s. 115.
Proclamation of partition	,,	s. 116.
Procedure to be followed by Deputy Commissioner in giving effect to partition	,,	s. 116A.
Appeals	,,	s. 117.
New allotment of revenue on proof of fraud or error in first distribution	,,	s. 118.
Imperfect partition; procedure for	,,	s. 119.
Persons entitled to claim union of revenue-paying estate	,,	s. 120.
Power to make rules as to partition and union and as to assessment of land-revenue on estates divided	,,	s. 121.
Cases in which Civil Court may not exercise jurisdiction in matters relating to partition	,,	s. 154 (*d*) to (*f*).
Powers of Civil Court in making imperfect partition of revenue-paying estate; apportionment of revenue-liability by Deputy Commissioner	,,	s. 154 (*3*), (*4*).

LAND-REVENUE—*contd.*

V.—EASTERN BENGAL AND ASSAM—*contd.*

B.—ASSAM—*contd.*

4. Revenue-administration—*contd.*

(*d*) MISCELLANEOUS.

Power to put one party in possession when dispute arises on inquiry as to transfer of estate, etc. . . . . Reg.I,1886,s.54.

5. Miscellaneous.

Places in which Revenue, Settlement and Survey Officers may hold Court; power to call for evidence . . . . . „ ss.140to 142.

Reference to arbitration . . . . . „ s.143.

Recovery of fines, costs, etc. . . . . „ s.144.

Recovery of rents, fees, royalties, etc., due to Government . „ s.144A.

Recovery of defalcations of subordinate Revenue-officers . . „ ss.145,146.

Appeal and revision . . . . . „ ss.147,151.

Matters excepted from jurisdiction of Civil Courts . . . „ s.154.

Power to make rules as to procedure of officers . . . „ s.152.

General power of Local Government to make rules . . . „ s.155.

Penalty for breach of rules . . . . . „ s.156.

Procedure for making and publishing rules . . . . . „ s.157.

Triennial consolidation and publication of rules . . . „ s.158.

Powers exercisèable from time to time . . . . . „ s.159.

Irregularities not to invalidate proceedings . . . . „ s.153.

VI.—BOMBAY PRESIDENCY.

SUITS IN CIVIL COURTS.

Act 16, 1838, declared in force throughout the Presidency of Bombay, except as regards the Scheduled Districts . . Act15,1874,s.5.

Suits relating to tenures or right to possession of land to be brought in Civil Courts and not in Revenue Courts . . Act 16,1838,s.1(*I*)

Procedure where Collector in whose Court suit is instituted considers he has no jurisdiction to try it, or where superior Court finds that Subordinate Court had no jurisdiction . . . „ ss.2to5.

Act 10, 1876, extends to whole Presidency of Bombay, but does not affect—

assessment or collection of land-revenue in Bombay City, or certain Acts . . . . . Act10,1876,s.1.

Definitions . . . . . „ s.3.

Bar to jurisdiction of Civil Courts in certain cases relating to the land-revenue, partition, boundaries . . . . . „ ss.4,5,Sch. II.

Bar to certain suits against Revenue-officers . . . . „ ss.6,7.

Suits against Government not to be entertained in Civil Courts unless plaintiff has exhausted his right of appeal . . . „ s.11.

Reference of question by Government to High Court; reference of question of jurisdiction by Civil Court to High Court . . „ ss.12to14.

Right of Government to object to suit against it being transferred to Assistant Judge, and to require that such suit shall have precedence over trial of other suits . . . . . „ s.16.

LAND-REVENUE—*contd.*

VII.—BOMBAY PRESIDENCY (EXCEPT THE CITY OF BOMBAY).

A.—GENERALLY.

1. Preliminary.

Bom. Act 5, 1879, extends to whole of the Presidency of Bombay except Scheduled Districts and City of Bombay; extension of ss. 2 and 23 to 30, with modifications, to City of Bombay	Bom. Act 5, 1879,	s.1 (am. Bom. Act 1, 1910, s.2).
Definitions	,,	ss.3,14,47,147.
Division: what comprised in; power to constitute and to alter limits of	Bom. Act 5, 1879,	s.4.
Districts: constitution of; power to prescribe limits of	,,	s.7.
Taluqas, mahals and villages: power to prescribe number of, in district	,,	s.7.

2. Revenue-officers and Survey-officers.

Commissioners: number, appointment, powers and duties of	,,	ss.4,5.
,, number, appointment and duties of Assistants to	,,	s.6.
Collectors; appointment, subordination, powers and duties of	,,	s.8.
Assistant Collectors and Deputy Collectors: number, appointment, subordination, duties and powers of	,,	ss.6,9,10.
Temporary Collector to have powers of Collector	,,	s.11.
Mamlatdars and Mahalkaris:		
Appointment, powers and duties of	,,	ss.12,13.
Subordination of Mahalkaris	,,	s.13.
Employment of subordinates to perform duties of	,,	s.14.
Stipendiary patels and village-accountants; appointment, etc., of	,,	s.16.
Village-accountants; records and writings to be kept and prepared by	,,	s.17.
Survey-officers; appointment, designations, subordination, powers and duties of	,,	s.18.
Subordination to Collector of all officers employed in land-revenue administration	,,	s.9.
Combination of offices	,,	s.19.
Certain appointments to be notified	,,	s.20.
Duties and powers of temporary officers	,,	ss.11,15,20.
Appointments of members of establishments of, by whom to be made; qualifications of	,,	ss.21,214(*a*).
Seals to be used by Revenue-officers	,,	s.22.
Security to be furnished by certain officers; liability of Revenue-officers, their heirs and sureties; withdrawal of sureties	,,	ss.23,24,27 to 30,Schs.B,D.
Recovery of Government money, papers or property withheld by	,,	ss.25,26,Sch. C.
Officers not to trade, etc.	,,	s.31.
Punishment of; appeals from orders of punishment	,,	ss.32 to 36,214 (*b*).
Control over	,,	s.188.

LAND-REVENUE—*contd.*

VII.—BOMBAY PRESIDENCY (EXCEPT THE CITY OF BOMBAY)—*contd.*

A.—GENERALLY—*contd.*

3. Assessment of Land-revenue.

(*a*) GENERALLY.

All land liable to land-revenue; exceptions	Bom. Act 5, 1879, s. 45.
Liability of alluvial lands, etc., to land-revenue	,, s. 46.
Decrease of assessment when land lost by diluvion	,, s. 47.
Assessment, and variation thereof, according to purposes to which land is appropriated; power to prohibit appropriation of land to particular purposes	,, ss. 48, 214(*c*).
Assessment of land occupied without authority	,, s. 61.
Commutation of cess, fine or tax, or occasional assessment, into annual assessment	,, ss. 49, 50.
Excess assessment of land held with land exempt from revenue may be charged on latter land	,, s. 51.
Fixing of assessment	,, ss. 52, 214(*d*).
Validity of assessments under s. 52 fixed prior to amendment of the section by Bom. Act 6, 1901	Bom. Act 6, 1901, s. 5.
Settlement of assessment with whom to be made	Bom. Act 5, 1879, s. 54.
Re-assessment in case of relinquishment or transfer of right of occupancy	,, ss. 75 to 78.
Remission of land-revenue when strip of land covered by road-side trees is deducted from holding	,, s. 42.

Certain land to be assessed. *See* LAND, D (*b*).

Exemption of certain land from assessment. *See* LAND, D (*b*).

See also below, 4.

(*b*) REVENUE-FREE LANDS.

Power to appoint Inam Commissioner to determine claims to hold land wholly or partially free from payment of revenue Power to appoint Assistants and other establishments for Inam Commissioner	Act 11, 1852, s. 2.
Duties of Inam Commissioner and his Assistants	,, s. 3, Sch. A.
Rules for determining titles of claimants	,, s. 4, Sch. B.
Powers of Inam Commissioner and his Assistants for taking evidence Appeals	,, s. 5, Sch. A.
Punishment of misconduct of officers on Inam Commission; definition of "extortion"; saving of suits	,, s. 6.
In territories subject to Act 11, 1852:	
Definitions	Bom. Act 2, 1863, s. 16.
Power to appoint officers under Bom. Act 2, 1863, and invest them with authority conferred by Act 11, 1852, on Inam Commissioners and Assistant Inam Commissioners	,, s. 9.
Power to continue exemption of lands from payment of land-revenue in perpetuity, without formal adjudication of title, where landholder consents to conditions; exception of certain lands	,, s. 1.

LAND-REVENUE—*contd.*

VII.—BOMBAY PRESIDENCY (EXCEPT THE CITY OF BOMBAY)—*contd.*

A.—GENERALLY—*contd.*

3. Assessment of Land-revenue—*contd.*

(*b*) REVENUE-FREE LANDS—*contd.*

In territories subject to Act 11, 1852—*contd.*

When exemption of lands so continued, the lands to be heritable and transferable, subject to annual payment to Government of nazrana and quit-rent; rules for ascertaining assessment for purpose of calculating quit-rent . . . . . Bom. Act 2, 1863, ss. 2, 3.

Power to extend the heritability and transferability of land-revenue exemptions *which have* been formally adjudicated as heritable in perpetuity; annual nazrana to be paid . . ,, s. 4.

Substitution of occasional for annual nazrana when the annual sum exceeds ten rupees . . . . . ,, s. 5.

Holders of land asserting right to exemption from payment of land-revenue may claim *adjudication upon their title* according to Act 11, 1852, as modified by Bom. Act 2, 1863; effect of making such claim; security to be furnished, or assessment levied, pending adjudication . . . . . ,, ss. 6, 7.

Service of notice on holder of land asking whether or not he claims an enquiry under s. 6; subsequent procedure . . ,, s. 11.

Burden of proof on whom to lie in enquiries under s. 6 . . ,, s. 10.

Lands held on behalf of religious or charitable institutions: *continuance or adjudication* of exemption from payment of land-revenue; bar to transfers . . . . . ,, s. 8.

Appeals from orders, etc., under ss. 2, 5, 8 . . . . . ,, s. 13.

Recovery of quit-rents, nazranas, etc. . . . . ,, s. 15.

In territories not subject to Act 11, 1852:

Definitions . . . . . Bom. Act 7, 1863, s. 32.

Power to continue exemption of lands from payment of land-revenue in perpetuity, without proof of title, *where* land-holder consents to conditions; exception of certain lands . ,, s. 2.
,, s. 3.

When exemption of lands so continued, the lands to be heritable and transferable, subject to annual payment of quit-rent to Government; rules for ascertaining assessment for purpose of calculating quit-rent . . . . . ,, ss. 6, 7.

Service of notice on holder of land asking whether he accepts settlement described in ss. 6, 7, or demands formal enquiry into his title . . . . . ,, s. 9.

Consequences to ensue when holder proves that his title has already been formally adjudicated . . . . . ,, s. 8.

Procedure where holder claims formal enquiry . . . ,, ss. 10(*1*), 11 to 26, Sch.

Burden of proof on whom to lie when formal enquiry made . . ,, s. 14.

Assessment to be levied on land for which title to hold free not established . . . . . ,, s. 10(*2*), (*3*).

Resumption of land-revenue in case of certain classes of lands alienated by holders . . . . . ,, s. 3.

Appeals from orders, etc., under Act . . . . . ,, ss. 19, 28.

Recovery of quit-rents . . . . . ,, s. 30

Power to enter lands for purpose of making assessment . . ,, s. 31.

Application of Act 11, 1852, and Bom. Acts 2 and 7, 1863, to agricultural lands in towns and cities . . . . . Bom. Act 5, 1879, s. 127.

LAND-REVENUE—*contd.*

VII.—BOMBAY PRESIDENCY (EXCEPT THE CITY OF BOMBAY)—*contd.*

A.—GENERALLY—*contd.*

4. Revenue-survey and Settlement.

Power to order revenue-survey; lands to be surveyed; control of Local Government over survey	Bom. Act 5, 1879,	s.95.
Power of Survey-officer to require assistance	,,	ss.96,97.
Minimum area of agricultural land to be comprised in survey-number	,,	s.98.
Special provisions as to recognised shares of survey-numbers	,,	s.99.
Assessment of land-revenue:		
Fixing of assessment	,,	ss.100,101, 214(*d*).
Sanction of Government required to assessment	,,	s.102.
Term of assessment		
Announcement of assessments after sanction obtained	,,	s.103.
Assessment when to take effect; remission of increased assessment when occupant relinquishes his land in following year	,,	s.104.
Assessment not to bar levy of lawful cesses or water-rate	,,	s.105.
Bar to enhancement of, during term fixed	,,	s.106.
Rules to be observed in revision of	,,	s.107.
Power to direct fresh survey	,,	s.106.
Survey-officer to prepare settlement register and records	,,	s.108.
Correction of errors in settlement register	,,	s.109.
Collector to keep settlement-register and certain records and to frame village-records in accordance therewith and to register changes	,,	s.110.
Continuance of existing survey-settlements	,,	s.112.
Ss. 95 to 112 how far applicable to alienated villages	,,	s.216.
Power to make rules for the administration of any survey-settlement	,,	s.214(*g*).

5. Revenue-administration.

(*a*) COLLECTION OF LAND-REVENUE.

Security for land-revenue	,,	s.56.
Receipt to be given for land-revenue, and (except in Panch Mahals) to be signed by village-accountant; penalty	,,	s.58(sub. Bom. Act 1, 1910, s.2), s.59. Act 7, 1885, s.2, Sch. (am. Bom. Act 1, 1910, s.2).
Collection of land-revenue in cases of relinquishment or private transfer of occupancy-right	Bom. Act 5, 1879,	ss.75 to 79.
Responsibility for payment of land-revenue	,,	s.136.
Claims of Government to have priority over all other claims	,,	s.137.
Land-revenue when, how, where and to whom to be paid	,,	ss.139,146.
,, recoverable from the crop, in priority to other claims	,,	s.138.
Power to prevent removal or reaping of crop until land-revenue paid	,,	ss.140 to 143.
Power to take village or share thereof under management, as security for land-revenue	,,	s.144.

LAND-REVENUE—*contd.*

VII.—BOMBAY PRESIDENCY (EXCEPT THE CITY OF BOMBAY)—*contd.*

A.—GENERALLY—*contd.*

5. Revenue-administration—*contd.*

(*a*) COLLECTION OF LAND-REVENUE—*contd.*

Release of crop, village or share on security being furnished for payment of revenue	Bom.Act5,1879,s.145.	
Arrear of land-revenue :		
Definition of "arrear" and "defaulter"	,,	s.147.
Certified account to be conclusive evidence of arrear	,,	s.149.
Collectors may realise arrears accruing in other districts or in City of Bombay		
Processes for recovery of	,,	ss.56,57,150to 163,Sch.C.
Processes may be put in force immediately, and fine imposed or interest charged	,,	s.148.
Disposal of forfeited occupancies or alienated holdings under s. 56	,,	s.214(*e*).
Stay of proceedings on security being given	,,	s.164,Sch.D.
,, ,, on payment under protest	,,	s.164.
Procedure in respect of sales	,,	ss.165to186.
Payment of, by co-occupant, etc., to avoid forfeiture, and recovery of sum so paid from person liable	,,	s.80.
Power of Collector to make co-occupant the registered occupant on payment of arrears, instead of selling occupancy-right	,,	s.81.
Power to recover arrear from co-occupant, co-sharer, inferior holder or actual occupant ; right of such person to be credited with payments so made	,,	s.136.
Certain sums recoverable as	,,	ss.26,34,43,55, 62,86,87,113(*3*),187.
	Bom.Act1,1880,s.36.	
Recovery in Bombay City of arrears accruing in other parts of Bombay Presidency	Bom.Act2,1876,s.38.	
Recovery in other parts of the Bombay Presidency of arrears accruing in Bombay City	Bom.Act5,1879,s.149.	
Issue of commission conferring on holder of alienated lands certain powers under Act for recovery of land-revenue, with modifications	,,	ss.88to94, Schs.D,F.
Recovery of superior holder's dues on account of land-revenue. *See* LANDLORD AND TENANT, V, 1.		

(*b*) PARTITION.

Partition of estates paying land-revenue to Government	,,	s.113.
Partition of khoti estate into which revenue-survey introduced, or taluqdari estate	,,	s.114.
Bom. Act 5, 1879, s. 114, repealed as to taluqdari estates in Ahmedabad, Broach, Kaira and Panch Mahals Districts	Bom.Act6,1888,s.3.	
Power to sub-divide survey-numbers when revising survey	Bom.Act5,1879,s.115.	
Power to form into a separate survey-number land appropriated for a non-agricultural purpose	,,	s.116.

LAND-REVENUE—*contd.*

VII.—BOMBAY PRESIDENCY (EXCEPT THE CITY OF BOMBAY)—*contd.*

A.—GENERALLY—*contd.*

5. Revenue-administration—*contd.*

(*b*) PARTITION—*contd.*

Bom. Act 5. 1879, ss. 113, 115, 116, not to affect Bom. Act 5, 1862 (Bhagdari and Narwadari Tenures)	Bom. Act 5, 1879,	s. 117.
Ss. 113 to 117 how far applicable to alienated villages	,,	s. 216.

(*c*) BOUNDARIES.

Rules for fixing boundaries of villages and determining disputes relating thereto	,,	s. 118.
Determination of boundaries of fields or holdings	,,	s. 119.
Settlement of boundary disputes by arbitration; settlement by Survey-officer on failure of arbitrators	,,	s. 120.
Effect of settlement of boundary	,,	s. 121.
Boundary-marks:		
Construction and repair of, and assessment of charges; responsibility for maintenance of	,,	ss. 122 to 124.
Issue of commission to holder of alienated lands to exercise powers of Survey-officer under s. 122	,,	ss. 88(*f*), 89, Sch. F.
Village-officers and servants to prevent destruction or unauthorised alteration of	,,	s. 123.
Penalty for injuring, etc.; disposal of fines	,,	s. 125.
Ss. 118 to 125 how far applicable to alienated villages	,,	s. 216.

(*d*) MISCELLANEOUS PROVISIONS.

Provisions as to temporary management of villages or estates not belonging to Government	,,	s. 111.
Liability to pay land-revenue not affected by entry in record-of-rights, etc.	Bom. Act 4, 1903,	s. 13.

6. Miscellaneous.

Power to call evidence; provisions as to summonses	Bom. Act 5, 1879,	ss. 189, 190, 192.
Service and validation of notices	,,	s. 191.
Procedure in enquiries made under Act	,,	ss. 193 to 197.
Copies and translations of orders, etc., to be furnished	,,	s. 198.
Arrest to be upon warrant	,,	s. 199.
Power to enter land for purposes of measurement, etc.; notice of entry	,,	s. 200.
Power to determine ordinary language of district	,,	s. 201.
Procedure for evicting person wrongfully in possession of land	,,	s. 202, Sch. I.
Appeal and revision	,,	ss. 203 to 212, 214(*h*).
Maps, survey-records, village-accounts and land-registers to be open to inspection; extracts therefrom to be given to applicants	,,	s. 213.
Rules: power to make; publication of	,,	ss. 214, 215.
Application of Act to unalienated villages	,,	ss. 216 to 218.

LAND-REVENUE—*contd.*

VII.—BOMBAY PRESIDENCY (EXCEPT THE CITY OF BOMBAY)—*contd.*

B.—KHOTS.

Power to grant leases to khots in Ratnagiri District or parts of Tana District or Sindh [1] for full period of settlement	Bom. Act 1, 1865, s. 37 (rep. locally, Bom. Act 1, 1880, s. 2).	
Local extent of Bom. Act 1, 1880	Bom. Act 1, 1880, s. 1.	
Definitions	Bom. Act 1, 1880, s. 3, Sch.	
Continuance of tenure of villages on fulfilment of conditions	,,	s. 4.
Survey and Settlement:		
Particulars to be entered in settlement-register and other records	,,	ss. 16 to 19.
Disputes to be determined by Survey-officer; reference to Civil Court	,,	ss. 20 to 22.
Administration of survey-settlements made under Bom. Act 1, 1880:		
Ss. 23 to 36 not to apply until survey-settlement made	,,	s. 23.
Amount of assessment of land-revenue	,,	s. 24.
Abolition of khots' annual kabuliyats	,,	s. 25.
Appointment of managing khot, where village held in shares; his duties and status; delegation of duties and powers of managing khot	,,	ss. 26 to 29, 31A.
Where village held by khot in his sole right, he is deemed to be the managing khot	,,	s. 30.
On separation of shares, Collector to determine assessment payable for each; liabilities of sharers	,,	s. 32.
Liability of khots for Local Fund cess; recovery thereof under Bom. Act 5, 1879, ss. 86, 87	,,	s. 36.
Continuance of existing survey-settlements	,,	s. 37.
New survey-settlement when to be introduced	,,	s. 38.
Power to make rules	,,	s. 40.
Certain portions of Bom. Act 5, 1879, not to apply to any village to which the Khoti Settlement Act, 1880, extends; certain portions of Bom. Act 5, 1879, to be subject to modification when applied to any such village.	,,	s. 39.

C.—GUJARAT TALUQDARS.

1. Preliminary.

Local extent of Bom. Act 6, 1888	Bom. Act 6, 1888, s. 1.	
Definitions	,,	s. 2.

2. Survey and Settlement.

Power to order	,,	s. 4.
Particulars to be entered in settlement register	,,	s. 5.
Disputes to be determined by Survey-officer; correction of register in accordance with decision of Court	,,	ss. 6, 8.
Custody and amendment of records; registered taluqdars entitled to copy of settlement-register	,,	ss. 7 to 9.

[1] Bom. Act 1, 1865, has been declared in force in parts of Sindh by notification under the Scheduled Districts Act, 1874.

LAND-REVENUE—*contd.*

VII.—BOMBAY PRESIDENCY (EXCEPT THE CITY OF BOMBAY)—*concld.*

C—GUJARAT TALUQDARS—*contd.*

3. Assessment and Collection of Land-revenue.

Amount of assessment	Bom. Act 6. 1888,	ss. 22(*1*), 23.
Power to fix assessment for thirty years	,,	s. 22(*2*).
Responsibility for payment	,,	s. 24(*1*).
Recovery of arrears	,,	s. 24(2),(*3*).
After partition, Collector to determine assessment payable on each separated portion	,,	s. 25.

4. Partition.

Who entitled to partition	,,	s. 10.
Application for partition; ascertainment of objections, and disposal thereof by Court or Taluqdari Settlement-officer; appeal to District Court	,,	ss. 11 to 13, 15. 16.
Power to reject application	,,	s. 14.
Partition how to be effected	,,	s. 17.
Confirmation and notification of; when partition to take effect	,,	s. 18.
Delivery of possession of shares	,,	s. 19.
Appeal to Commissioner from order confirming partition	,,	s. 20.
Bar of suits or applications to Civil Courts for partition	,,	s. 21.

See also above, 3.

5. Miscellaneous.

Management of Taluqdars' Estates by Government officers	,, (s. 28 am. Bom. Act 1. 1910, s. 2).	ss. 26 to 29, 29F
Disabilities of Taluqdar whose estate is taken under management	,,	s. 29A.
Application of provisions of Bombay Court of Wards Act, 1905	,,	s. 29G.
Police-officers and establishments; maintenance of	,,	s. 30.
Restrictions on alienation of Taluqdar's estate	,,	ss. 31, 32.
Section 31 of Bom. Act 6, 1888, not to apply to certain alienations by a malgamati	Bom. Act 2, 1905,	s. 2(2).
Certain portions of Bom. Act 5, 1879, not to apply to any estate to which the Gujarat Taluqdars Act, 1888, extends: certain portions of Bom. Act 5, 1879, to be subject to modification when applied to any such estate	Bom. Act 6, 1888,	ss. 1, 33.

VIII.—BOMBAY CITY.

1. Preliminary.

Definitions	Bom. Act 2. 1876,	s. 3.

2. Establishments.

Control vested in Collector of Bombay, subject to Local Government	,,	s. 4.
Appointment, powers and duties of Collector	,,	s. 5.
Number, appointment, duties, powers and punishment of Assistants and other subordinates	,,	ss. 6, 7.

LAND-REVENUE—*contd.*

VIII.—BOMBAY CITY—*contd.*

2. Establishments—*contd.*

Security to be furnished by certain officers; liabilities of officers, their heirs and sureties; withdrawal of sureties; recovery of Government money, papers or property withheld by officers; application of Bom. Act 5, 1879, ss. 2, 23 to 30, with modifications, to Bombay City . . . . . Bom. Act 5, 1879, s. 1, proviso (add Bom. Act 1, 1910, s. 2).

3. Assessment and Collection of Land-revenue.

Fixing and levy of assessment . . . . . Bom. Act 2, 1876, s. 8.
Settlement of assessment with whom to be made . . . . . ,, s. 9.
Liability for land-revenue . . . . . ,, s. 10.
Claims of Government to have precedence . . . . . ,, s. 11.
Payments how to be made . . . . . ,, ss. 9, 12 (am. Bom. Act 1, 1910, s. 2).
Recovery by attachment and sale of property or imprisonment of defaulter . . . . . ,, s. 13.
Stay of proceedings against defaulter on his paying under protest . . . . . ,, s. 15.
Fees for warrants issued under s. 13 . . . . . ,, s. 16, Sch. A.
Institution of suits before Revenue Judge against Collector's decisions or proceedings under ss. 8 to 13; stay of proceedings on security being given . . . . . ,, ss. 14, 15.
Notice to be given to Collector of transfer of, or succession to, lands, houses, etc., paying land-revenue to Government; penalties for not giving notice . . . . . ,, ss. 30 to 33, Schs. B, C.
Registration of transfers by Collector; holding of enquiry in case of dispute as to transfer . . . . . ,, ss. 34, 35.
Recovery in Bombay City of arrears accruing due in other parts of Bombay Presidency . . . . . ,, s. 38.
Recovery, in other parts of the Bombay Presidency, of arrears accruing in Bombay City . . . . . Bom. Act 5, 1879, s. 149.
Certain sums recoverable in same way as arrears of land-revenue Bom. Act 2, 1876, ss. 13, 37.

4. Survey and Boundaries.

Survey made in 1865 to 1872: demarcation and records to be evidence under Act; alteration or correction of demarcation or records . . . . . ,, s. 19.
Survey boundary-marks:
Maintenance and repair of; expenses . . . . . ,, ss. 20, 22, 23.
Entry for inspection of . . . . . ,, ss. 21, 23.

5. Miscellaneous.

Revenue Judge:
Who to be . . . . . ,, s. 17.
Duties of . . . . . ,, s. 17.
Procedure of; appeals; execution of his decrees . . . ,, s. 18.
Application of Code of Civil Procedure . . . . . ,, ss. 18, 36.
Collector to keep registers and rent-rolls . . . . . ,, s. 39.
Records to be kept in Collector's office; inspection and granting of copies of records . . . . . ,, s. 40.
Rules; power to make; publication of . . . . . ,, s. 41.

LAND-REVENUE—*contd.*

IX.—LOWER BURMA.

1. Preliminary.

Local extent of Act 2, 1876	Act2,1876,s.1.
Bur. Act 4, 1898, local extent of; applies only to lands in towns and villages	Bur.Act4,1898,ss.1(2),2.
Definitions	Act2,1876, ss.3,44. Bur.Act4,1898,s.4.

2. Assessment of Land-revenue.

What land liable to assessment; rates and mode of assessment; power to alter rates	Act2,1876,ss.23to25. Bur.Act4,1898,ss.22,23.
Settlement: right to apply for	Act2,1876,s.26.
,, nature of	,, s.27.
,, rights conferred by	,, s.28.
,, term of	,, s.29.
,, continuance of expired settlement until new settlement is made	,, s.30.
Power to exempt land from revenue	,, s.18(c).
Power to impose toungya-tax in lieu of revenue-assessment; rates of tax	,, s.33.
Power to impose land-rate in lieu of capitation-tax; amounts of rate; power to exempt land from payment of rate	,, ss.35,36,Sch.
Year of assessment of revenue or rate; enhancement when to take effect	,, ss.41,42.
Power to make rules as to assessment of revenue, rate or tax	,, s.58(a).
Persons liable to income-tax not to be assessed to land-rate	Act2,1886,s.48.
Arakan Hill District:	
Assessment of measured land in the plains; tax on toungyas; alteration of rates; exemptions	Reg.9,1874,ss.10,11,13,14.

3. Collection of land-revenue.

Personal liability for land-revenue and land-rate or toungya-tax imposed in lieu thereof	Act2,1876,ss.37,38. Bur.Act4,1898,s.26.
Revenue, rate or tax when due, and where and to whom payable	Act2,1876,s.43.
Power to make rules as to collection of revenue, rate or tax	,, s.58(a).
Arrear of land-revenue, rate or tax:	
Definition of "arrear" and "defaulter"	,, s.44.
Realisation of, by Revenue-officer; his procedure; notice of demand to be issued	,, s.45.
Proceedings against the land for recovery of arrear of land-revenue or land-rate	,, ss.46to50.

LAND-REVENUE—*contd.*

IX.—LOWER BURMA—*contd.*

3. Collection of Land-revenue—*contd.*

Arrear of land-revenue, rate or tax—*contd.*

Recovery of—

costs of proceeding for realising arrear . . . . . Act 2, 1876, s. 51.

collections for which absconding Revenue-officer has not accounted . . . . . „ ss.52,53.

Recovery as, of money payable in consideration of grant or other disposition of Government land . . . . . „ ss.18(*d*).

Recovery of money as if it were an arrear of revenue . . „ s.18(*d*),43. 44,51to53.

Arrears of revenue, etc., due under Bur. Act 4, 1898, to be first charge upon land ; recovery of arrears . . . . Bur.Act4,1898,ss.24,25.

Person recorded as being in possession of any land liable to pay all Government demands in respect of it . . . . . „ s.36.

4. Miscellaneous.

Erection and repair of boundary-marks . . . . . Act2,1876,s.54.

Appeal and revision . . . . . „ s.55.

Bar to jurisdiction of Civil Courts . . . . . „ s.56.

Powers conferable on Revenue-officers . . . . . „ s.57.

Rules : general power to make . . . . . „ s.58(rep.pt. [1]Bur.Act1,1910, s.4). [1]Bur.Act1,1910,s.3.

„ penalty for breach of . . . . . Act2,1876,s.59.

„ publication of . . . . . „ s.60.

Power of Revenue-officer to summon witnesses ; witnesses bound to speak the truth . . . . . „ ss.54A,54B. Bur.Act4,1898,ss.38,38A.

Provisions as to appeal and revision, bar to jurisdiction of Civil Courts and power to make rules as regards town and village lands . . . . . „ ss.39to44.

Validation of sums levied in the past by Government in respect of town and village lands . . . . . „ s.46.

Bar of suit against Revenue-officer for things done under Bur. Act 4, 1898 . . . . . „ s.45.

X.—UPPER BURMA.

1. Revenue-officers.

Classes and jurisdiction of . . . . . „ s.5.

Functions of . . . . . „ s.5.

[1] Bur. Act 1, 1910, will come into force when notified.

LAND-REVENUE—*contd.*

X.—UPPER BURMA—*contd.*

1. Revenue-officers—*contd.*

Superintendence and control over	Reg.3,1889,s.6.	
Distribution of business among, and transfer and withdrawal of cases	,,	s.7.
Appeal from orders of; review; revision	,,	ss.8to11.
Procedure of	,,	s.12.
Powers of, as to exclusion of legal practitioners	,,	s.13.
Power of, to call evidence	,,	s.14.
Service of summonses, notices and orders issued by	,,	ss.15,16.
Proclamations by, how to be made	,,	s.17.
Holidays to be observed by	,,	s.18.
Discharge of duties of Collector dying or being disabled	,,	s.19.
Retention of powers on transfer	,,	s.20.
Authority to confer powers of, on any person	,,	s.21.

2. Assessment of Land-revenue.

What lands liable to land-revenue; assessment how made	,,	s.27.
Power to declare holders of land in village to be jointly and severally responsible for revenue	,,	s.28.
Enhancement of revenue when to take effect	,,	s.28A.
Power to enter, demarcate and survey land, and cause ripe crop to be cut, etc., and measure produce, for purpose of assessment	,,	s.49A.

3. Collection of Land-revenue.

Time and mode of payment; definitions of "arrear", "defaulter", "moveable property" and "revenue"	,,	ss.37,38
Revenue the first charge on rents, etc.	,,	s.39.
Certified account to be conclusive evidence of arrear, except in certain cases	,,	ss.40,43.
Processes for recovery of revenue; effect on encumbrances of sale of immovable property; disposal of proceeds of sale of property	,,	ss.41,42,45.
Payment under protest and recovery by suit of sum paid	,,	s.43.
Power to make rules as to	,,	s.44,(rep.pt. [1]Bur.Act1,1910,s.4). [1]Bur.Act1,1910,s.3.
Prohibition of Revenue-officers or employés purchasing property sold	Reg.3,1889,s.46.	
Application of ss. 38 to 46 to recovery of—		
sums realisable under other enactments as arrears of land-revenue	,,	s.47.
thathameda-tax, rent of State lands and other moneys due to Government	,,	ss.26(iv),37.
Bar to jurisdiction of Civil Courts	,,	s.53.

[1] Bur. Act 1, 1910, will come into force when notified.

LAND-REVENUE—*contd.*

X.—UPPER BURMA—*concld.*

4. Miscellaneous.

Preparation and maintenance of record-of-rights and register of mutations; power to make rules . . . . . Reg.3,1889,ss.29,30.

Power of Revenue-officer to put one party in possession when disputes arises on enquiry as to transfer of estate, etc. . . „ s.30.

Rules as to process-serving establishments; power to make . „ s.49(rep. [1]Bur.Act1,1910,s.4). [1]Bur.Act1,1910,s.3.

„ general power of Financial Commissioner to make . . Reg.3,1889,s.50(rep.pt. [1]Bur.Act1,1910,s.4).

„ control over rule-making power; publication of rules in draft; penalties for breach of rules . . . . Reg.3,1889,s.51.

Powers of Financial Commissioner exerciseable from time to time „ s.52.

Bar to jurisdiction of Civil Courts . . . . . „ s.53.

XI.—CENTRAL PROVINCES AND SAMBALPUR DISTRICT IN BENGAL.

1. Preliminary.

Definitions . . . . . Act18,1881,ss.4,4A,91,136.

Power to alter limits of, and create and abolish, districts and tahsils . . . . . „ s.14.

2. Revenue-officers.

Classes of; subordination of; appointment, powers, suspension and removal of . . . . . „ ss.5,6(am.in. C.P.Act13,1908,s.4), 7,8,10,11).

Retention of powers on transfer . . . . . „ s.12.

Temporary Deputy Commissioner to have powers of Deputy Commissioner under Act . . . . . „ s.13.

Authority to invest them with special powers . . . . „ s.15.

Superintendence and control over . . . . . „ ss.16,17(am.in. C.P.Act13,1908,s.5).

Power of, to enter on land, etc. . . . . Act18,1881,s.18.

„ to require attendance and production of documents . „ s. 18A.

Procedure of; appearance of legal practitioners before . . „ ss.19to21.

Appeals from orders of: limitation of appeal . . . . „ ss.22,23(am. in C.P.,Act13,1908,s.6.

Revision of proceedings of . . . . . Act18,1881,ss.24,25(am. in C.P.Act13,1908,s.5), 26.

3. Revenue-survey and Settlement.

(*a*) Preliminary.

Notification of survey, and effect thereof Act18,1881,s.27

Notification of settlement . . . . . „ s.28.

Appointment, suspension and removal of Settlement-officers . „ s.29.

Titles of Settlement-officers . . . . . Act16,1889,s.40.

[1] Bur. Act 1, 1910, will come into force when notified.

LAND-REVENUE—*contd.*

XI.—CENTRAL PROVINCES AND SAMBALPUR DISTRICT IN BENGAL—*contd.*

3. Revenue-survey and Settlement—*contd.*

(*a*) PRELIMINARY—*contd.*

Powers of Settlement-officers; superintendence and control; appeals; revision	Act 18, 1881,	ss.30, 31, 33 to 38.
Appointment and powers of Settlement Commissioner	,,	s.32.
Duration of settlement-operations	,,	s.39.
Power to enter on and survey land and demarcate boundaries	,,	s.18.

(*b*) DEMARCATION.

Demarcation and disposal of unowned lands	,,	ss.40 to 42, 133.
Power to form mahals	,,	s.43.
,, exclude town or land from settlement-operations	,,	s.44.
Erection of new, and repair of existing, boundary-marks	,,	s.45.
Penalty for injuring boundary-mark; re-erection or repair of mark after injury	,,	ss.134, 135.

(*c*) ASSESSMENT OF LAND-REVENUE.

Separate sum to be assessed on every mahal; power to reduce assessment; special assessment of forest mahal	,,	s.46.
Instructions by Local Government to Settlement-officers as to principles of assessment, etc.	,,	s.47.
Certain lands not to be assessed	,,	s.48.
Assessment to whom to be offered	,,	s.49.
Sub-settlement to be made with inferior proprietors; payment of certain profits to superior proprietor; revenue a first charge on land comprised in sub-settlement	,,	ss.50, 51, 64, 65.
Sanction, revision and confirmation of settlement	,,	ss.52, 53.
Option to accept or refuse assessment; acceptance to be in writing; when acceptance may be implied; effect of acceptance; power to rescind or repudiate assessment	,,	ss.54 to 56.
Ascertainment and notification of amount payable, when assessment of forest mahal is in form of rates, etc.	,,	s.56A.
Procedure when only some proprietors accept assessment	,,	s.58.
Procedure on refusal of assessment, and rights of proprietors, refusing	,,	ss.57 to 63.
Inquiry into claims of thikadars, gaontias or farmers	,,	s.65A.
Apportionment of assessment over lands held in severalty; redistribution of land according to custom	,,	ss.66, 67.
Assessment of raiyatwari villages; right of raiyat inheritable, but not transferable; partition	,,	ss.67A to 67H.
Revenue payable by raiyats holding Government land not included in raiyatwari village	,,	s.67I.

(*d*) INVESTIGATIONS BY SETTLEMENT-OFFICER, AND PREPARATION OF RECORD-OF-RIGHTS.

Settlement-officer to ascertain proprietors, to determine and record sir-land, to ascertain customs or rules as to management of mahal, to determine channel for payment of revenue, to record status of tenants, etc.	,,	ss.68 to 72.

LAND-REVENUE—*contd.*

XI.—CENTRAL PROVINCES AND SAMBALPUR DISTRICT IN BENGAL—*contd.*

3. Revenue-survey and Settlement—*contd.*

(*d*) INVESTIGATIONS BY SETTLEMENT-OFFICER, AND PREPARATION OF RECORD-OF-RIGHTS—*contd.*

Enquiry into claims to hold revenue-free, etc.	Act 18, 1881,	ss. 73 to 75.
Determination of village-cesses leviable	,,	s. 76.
,, disputes as to certain rights or customs	,,	s. 77 (rep. as to patwaris in C.P., Act 4, 1907).
Procedure of Settlement-officer in deciding disputes	,,	s. 78.
Preparation, custody and effect of records-of-rights	,,	ss. 79 to 82.
Power of Settlement-officer to require attendance and production of documents	,,	s. 18A.
Suits to contest settlement decisions or entries in record-of-rights; revision by Chief Commissioner	,,	ss. 83, 84.
Proceedings in respect of Government lands	,,	s. 85.

(*e*) MISCELLANEOUS.

Provisions as to settlements made before commencement of Act.	,,	ss. 86 to 89.
Authority to invest officers during currency of settlement with powers of Settlement-officer	,,	s. 133.

4. Revenue-administration.

(*a*) COLLECTION OF LAND-REVENUE.

Instalments, times, places, and manner at and in which payments to be made	,,	s. 90.
Arrears of land-revenue:		
Definition of "arrear" and "defaulter"	,,	s. 91.
Avoidance of attachments and executions which forestall land-revenue	,,	s. 91A.
Realisation of arrears payable direct to Government:		
Authenticated account to be conclusive evidence of arrear, except in certain cases	,,	ss. 92, 114.
Service of notice of demand	,,	ss. 93, 113.
Processes for recovery	,,	ss. 94 to 111, 113.
Costs recoverable as part of arrear	,,	s. 112.
Right of person denying liability to pay amount under protest and institute suit in Civil Court for recovery thereof	,,	s. 114.
Realisation of arrears not payable direct to Government	,,	ss. 115 to 118.
Interest on arrears	,,	s. 119.
Recovery, as arrears of land-revenue, of—		
village-officers' dues	,,	s. 149,
balances due by farmer	,,	s. 157.
other moneys payable to Government	,,	ss. 157A, 158.
fines and penalties under Central Provinces Tenancy Act, 1898	Act 11, 1898,	s. 98.

LAND-REVENUE—*contd.*

XI.—CENTRAL PROVINCES AND SAMBALPUR DISTRICT IN BENGAL—*contd.*

4. Revenue-administration—*contd.*

(*b*) REVENUE AND VILLAGE RECORDS.

Correction and revision of record-of-rights	Act 18, 1881,	ss. 120 to 122.
Enforcement by Government of rule, custom or condition entered in record-of-rights	,,	ss. 124, 125.
Control and management of forest-land in accordance with record-of-rights	,,	s. 124A.
Record of changes affecting record-of-rights	,,	ss. 125 to 129.
Records to be open to inspection	,,	s. 131.

(*c*) VILLAGE-OFFICERS, PATWARIS AND WATCHMEN.

Appointment, remuneration, powers, duties, suspension and removal of lambardars, sub-lambardars, mukkaddams and patels	,,	ss. 137 to 143A (ss. 138, 141, 143A rep. as to patwaris in C.P., Act 4, 1907).
Remuneration of mukaddam by holders of sir-land in Sambalpur District	Act 18, 1881,	s. 150.
Penalty on mukaddam failing to perform duty or abusing powers and on person disobeying order of mukaddam	,,	ss. 161A, 161B.
Appointment, remuneration, duties and punishment of patwaris	,,	ss. 144, 146.
Contribution by proprietors, etc., towards remuneration of patwaris and defraying of charges for supervision of patwaris, etc.	,,	s. 146A (rep. in C.P., Act 4, 1907).
Patwaris' papers "public documents" within meaning of Evidence Act, 1872	,,	s. 146.
,, ,, inspection, etc., of	,,	s. 147.
Power to make rules as to appointment, etc., of village-watchmen	,,	s. 147A.
Confirmation of existing officers	,,	s. 148.
Recovery of officers' dues	,,	s. 149.

(*d*) PARTITION OF MAHALS.

Definition of "perfect partition" and "imperfect partition"	,,	s. 136.
Persons entitled to partition	,,	ss. 136A, 136B.
Bar to jurisdiction of Civil Courts	,,	s. 136C.
Imperfect partition:		
Application for	,,	ss. 136D, 136E.
Power to reject application on preliminary enquiry	,,	s. 136F.
Ascertainment and disposal of objections to partition; appeal	,,	ss. 136E, 136G to 136I.
Option to parties to make partition themselves or appoint arbitrators	,,	s. 136J.
Principles to be followed in making partition	,,	s. 136K to 136P.
Power to stay proceedings	,,	s. 136Q.
Sanction of Local Government required	,,	s. 136R.
Notification of partition	,,	s. 136S.
Perfect partition:		
Application for	,,	s. 136T.
Power to effect	,,	s. 136U.

LAND-REVENUE—*contd.*

XI.—CENTRAL PROVINCES AND SAMBALPUR DISTRICT IN BENGAL—*concld.*

4. Revenue-administration—*contd.*

(*d*) PARTITION OF MAHALS—*contd.*

Power to make rules as to partitions	Act 18, 1881,	s.136V.
Partition may be effected by distribution of mahals	,,	s.136W.
Partition of survey numbers	,,	s.67E.

(*e*) MISCELLANEOUS.

Annual enquiry as to land held free from revenue; re-assessment of such land	,,	s.130.
Certain powers of Settlement-officers to be exercised by Deputy Commissioners when settlement not in progress	,,	s.132.

5. Miscellaneous.

Right of Government to mines, quarries and fisheries	,,	s.151.
Bar to jurisdiction of Civil Courts	,,	ss.152, 154.
Bar of suits for certain village-cesses	,,	s.153.
Restriction on Revenue and Settlement Officers and employés trading or holding land	,,	s.155.
When mahal officially managed or farmed, rents to be paid to Deputy Commissioner	,,	s.156.
Recovery of balances due under Act and miscellaneous revenues	,,	ss.157, 157A, 158.
Mode of conferring powers under Act; power to cancel order conferring powers	,,	ss.160, 161.
Power of Local Government to make rules	,,	s.162.

XII.—COORG.

1. Preliminary.

Definitions	Reg. 1, 1899,	s.3.

2. Revenue-authorities.

Classes of Revenue-officers	,,	s.4.
Chief Commissioner as Chief Controlling Revenue-authority	,,	s.5.
Commissioner; appointment and functions of	,,	s.6.
Assistant Commissioners; number, appointment, subordination and duties of	,,	s.7.
Taluqs, and subedars for administration thereof	,,	ss.8 to 10.
Conferment of powers on Revenue-officers	,,	ss.11, 12.
Subordination of Revenue-officers	,,	ss.5 to 7, 9, 19.
Parpattigars and village-officers; appointment, duties, emoluments and punishment of	,,	ss.24, 27.

3. Records-of-rights and Annual Records.

Ss. 29 to 41 not to apply to towns or villages; power to define limits of towns and villages	,,	s.28.
Record-of-rights required for every estate: preparation or revision of record; contents of record	,,	ss.29, 30.

LAND-REVENUE—*contd.*

XII.—COORG—*contd.*

3. Records-of-rights and Annual Records—*contd.*

Annual record required for every estate : preparation of record ; contents of record ; maintenance of registers	Reg.1,1899,	s.31.
Repeal of acquisition of rights under penalty ; entry of acquisitions in register of mutations ; inquiry into correctness of entries and into acquisitions ; correction of annual record	,,	ss.32,33,37.
Determination of disputes as to entries to be made in records ; power to put party into possession of property	,,	s.34.
Restrictions on variations of entries in records	,,	s.35.
Mutation-fees	,,	s.36.
Obligation to furnish information required for records	,,	s.38.
Presumption of correctness of records	,,	s.39.
Right to institute suit for declaratory decree, in respect of entry in any record	,,	s.40.
Power to make rules as to records and registers	,,	s.41.

4. Assessment of Land-revenue.

What land liable to assessment ; power to decide which holder is primarily liable to pay	,,	s.48.
Sanction of Governor General in Council required to general re-assessment	,,	s.49.
General assessment by whom to be made ; sanction of Chief Commissioner required to method of assessment	,,	s.50.
,, announcement of	,,	s.51.
,, application for re-consideration of	,,	s.52.
,, confirmation of	,,	s.53.
,, duration of	,,	ss.53,54.
Special assessments : when they may be made ; application of ss. 50 to 54 to ; power to make rules as to	,,	s.55.

5. Collection of Land-revenue.

Land-revenue ; security for	,,	ss.56,77.
,, ,, to whom payable ; time and instalments for payment	,,	s.57.
,, ,, power to make rules as to collection, remission and suspension of	,,	s.58(*1*).
,, ,, assigned : deduction of cost of collection by Revenue-officer	,,	s.58(*2*).
,, ,, ,, authority of Chief Commissioner required to institution of suit for arrear of	,,	s.58(*3*).
Arrear of land-revenue :		
Certified account to be conclusive proof of	,,	s.59.
Power to levy arrear immediately, with interest and costs ; definition of "arrear" and "defaulter"	,,	s.60.
Processes for recovery of : notice of demand ; summons ; arrest and imprisonment ; distraint and sale of movables ; attachment and sale of immovable property	,,	ss.61to113, Sch.III.

LAND-REVENUE—*contd.*

XII.—COORG—*contd.*

5. Collection of Land-revenue—*contd.*

Deductions by tenant from rent due to defaulter—
when tenant's crops distrained . . . . . Reg.1,1899,s.70.
when tenant pays arrear to release landlord's immovable property from attachment . . . . . ,, s.94.
Enforcement of payment by sureties . . . . . ,, s.114.
Receipts for payments . . . . . ,, s.116.
Recovery, as arrears of land-revenue, of—
cesses and mohatarfa, and sums payable to Government in respect of occupancy of land or use of its products, or supply of water to it for irrigation . . . . . ,, s.3(*10*).
fees, fines, costs and other charges payable under Regulation 1, 1899 . . . . . ,, s.115.
moneys due to Government under any grant, lease or contract which provides that they shall be so recoverable . .
portion of land-revenue which is represented by service rendered by assignee of land-revenue . . . . . ,, s.138.
Rate imposed under the Coorg District Fund Regulation, 1900 Reg.6,1900,s.5.

6. Surveys and Boundaries.

Power to make rules as to demarcation of boundaries of, and survey-marks to be erected in, estates . . . . . Reg.1,1899,s.117.
Power to define boundaries of estates, villages, holdings, fields, etc., and to require survey-marks to be erected or repaired . . ,, s.118.
Cost of erecting and repairing survey-marks, by whom to be met ,, ss.119,120.
Power of Revenue-officers and other persons to enter upon and survey land, etc. . . . . ,, s.121.
Power of Revenue-officer to require indication of rights or interests by temporary marks, under penalty . . . . ,, s.122.
Provision of flag-holders and chainmen . . . . ,, s.123.
Professional surveys . . . . . ,, s.124.
Destruction, injury or removal of survey-marks:
penalty for . . . . . ,, s.125.
village-officers to report . . . . . ,, s.126.

7. Supplemental Provisions.

Appeals to whom to lie . . . . . ,, ss.13,14(*2*),15(*d*).
,, limitation of . . . . . ,, ss.14,16.
Revision by Revenue-officers; power of . . . . . ,, ss.15,17.
,, ,, ,, ,, limitation for . . . . ,, ss.15(*b*),16.
Power of Chief Commissioner to make rules as to procedure . ,, s.18.
Power of Revenue-officer to summon persons; duties of persons summoned . . . . . ,, s.20.
Mode of service of summonses . . . . . ,, s.21.
,, ,, notices; validation of irregularities . . ,, s.22.
Penalty for failure to attend when required by Revenue-officer . ,, s.23.
Arbitration under Reg. 1, 1899 . . . . . ,, ss.127to135.
Execution, by Revenue-officers, of orders of Civil and Criminal Courts . . . . . ,, s.136

LAND-REVENUE—*contd.*

XII.—COORG—*concld.*

7. Supplemental Provisions—*contd.*

Assignment of land-revenue :
Attachment of assigned land-revenue . . . . . Reg.1,1899,s.137.
Confiscation of assignment in default of service . . . . ,, s.138.
Recovery of cost of re-assessment . . . . . ,, s.139.
Papers kept by village-officers to be deemed public documents . ,, s.140.
Costs . . . . . ,, s.141.
Prohibition of Revenue-officers bidding at auction, trading or acquiring land . . . . . ,, s.142.
Power to make rules to carry out purposes of Reg. 1, 1899 . . ,, s.143.
Rules under Reg. 1, 1899 ; power to make, is subject to control of Governor General in Council, and to the condition of previous publication . . . . . ,, s.144.
Bar to suits in Civil Courts in respect of certain matters . . ,, s.145.

XIII.—MADRAS PRESIDENCY (EXCEPT THE CITY OF MADRAS).

1. Preliminary.

Mad. Regs. 1 and 2 of 1803, 8 of 1817, 7 of 1828 and 10 of 1831, and Acts 7 of 1839, 10 of 1849, and 7 of 1857, declared in force throughout the Presidency of Madras, except as regards the Scheduled Districts . . . . . Act15,1874,s.4.
Mad. Act 2, 1864 (Recovery of revenue), not to apply to City of Madras . . . . . Mad.Act2,1864, s.64.
Power of Local Government to alter limits of districts . . Mad.Act1,1865.

2. Revenue-authorities.

Board of Revenue :
General duties of . . . . . Mad.Reg.1,1803,s.4.
Powers of superintendence and control exerciseable by . . ,, s.5.
Responsibility of, for discharge by subordinate officers of their duties ; power to punish such officers . . . . ,, s.33.
Provisions as to holding of meetings of members . . . ,, ss.6,24.
,, ,, conduct of business by . . . . ,, ss.16to22, 25to28.
Distribution of business between members of . . . ,, s.23, Mad.Act1,1894.
Power to appoint a member of the Board, by commission, to perform duties of Board . . . . . Act10,1849.
Powers of President of . . . . . Mad.Reg.1,1803,ss.16,20, 24to28,30to32.
Official seal of . . . . . ,, s.8.
Duties of, as to records and correspondence . . . . ,, ss.9to15.
,, ,, care of public moneys and records on death, resignation or removal of Collector . . ,, s.48.
Responsibility of, as to speedy completion of temporary settlement and submission of same to Local Government . . ,, ss.35,36.
General duties of, as to supervision of temporary settlements . ,, s.37.
Duty of, to see that revenue is duly realised . . . . ,, s.38.
Not to make or confirm revenue-free grants, etc., without authority of Local Government . . . . . ,, s.42.
Members not to trade, etc. . . . . ,, s.40.

LAND-REVENUE—*contd.*

XIII.—MADRAS PRESIDENCY (EXCEPT THE CITY OF MADRAS)—*contd.*

2. Revenue-authorities—*contd.*

Board of Revenue—*contd.*

Orders of Local Government when required to deputation of officer by Board . . . . . Mad.Reg.1,1803,ss.49,50.

Duties of, as to supervision of expenditure . . . . „ ss.52to54.

„ as to remission and suspension of revenue . . „ ss.55,56.

„ as to sale of permanently-settled land for arrears of revenue . . . . . „ s.57.

Collectors: to be members of Indian Civil Service . . . Mad.Reg.2,1803,s.2.

„ to collect the revenue . . . . . „ s.5.

„ to be under control of Board of Revenue . . „ s.6.

„ to furnish papers and accounts to other officials on requisition . . . . . „ s.7.

„ proceedings of, to be conducted publicly . . „ ss.8,9.

„ general duties of, and general control exerciseable by, for administration of public revenues . . . „ s.11.

„ diaries to be kept by . . . . . „ s.12.

„ how to keep public money . . . . . „ s.13.

„ to furnish Board of Revenue with statement of revenue permanently assessed, and of other items of revenue . . . . . „ s.15.

„ to give instructions, etc., to persons deputed to attach estates . . . . . „ ss.20,21.

„ execution by, of decree of Court ordering sale of land paying revenue to Government . . . . „ s.65.

„ not to publish orders affecting intercourse with foreign States without express order of Local Government . . . . . „ ss.68,69.

„ delivery of documents by Collector to successor; successor to count cash balance and give receipt . „ ss.60,61,63,64.

Collectors and Assistant Collectors not to trade, etc. . . . „ ss.66,67.

Leave of absence to Collector or Assistant Collector . . . Mad.Reg.7,1828,s.3.

Delegation of powers of Collector to Assistant Collectors; his powers of control over their proceedings . . . .

Deputy Collector:

Power to appoint . . . . . Act7,1857,s.1.

To have same powers and duties, and be subject to same control, as Assistant Collector . . . . . „ s.3.

Suspension and dismissal of . . . . . „ s.6.

Act 7, 1857, repealed as to Deputy Magistrates . . . Act12,1873.

Private servants not to be employed on public business, and *vice versâ* . . . . . Mad.Reg.2,1803,s.36.

Power to fine subordinates . . . . . „ s.37.

3. Settlement, and Assessment of Land-revenue.

(*a*) SETTLEMENT.

Permanent Settlement. *See* PERMANENT SETTLEMENT, 2.

Temporary settlements:

Responsibility of Board of Revenue as to speedy completion of settlements and submission of same to Local Government . Mad.Reg.1,1803,ss.35,36.

LAND-REVENUE—*contd.*

XIII.—MADRAS PRESIDENCY (EXCEPT THE CITY OF MADRAS)—*contd.*

3. Settlement and Assessment of Land-revenue—*contd.*

(*a*) SETTLEMENT—*contd.*

Temporary settlements—*contd.*

Not valid till confirmed by Local Government . . . Mad.Reg.1,1803,s.36.
General duties of Board of Revenue as to supervision of . . „ s.37.

(*b*) ASSESSMENT OF LAND-REVENUE.

Principles to be followed in assessing lands not permanently settled . . . . . Mad.Reg.2,1803,ss.38to40.
Apportionment of assessment on transfer of land or sub-division of estate . . . . . „ ss.16to18.
Apportionment of assessment on sale of land . . . . Mad.Act2,1864,ss.45,46.
Assessment of land-revenue payable on alienated portion of permanently-settled estate; appeal; re-adjustment of assessment Mad.Act1,1876,ss.1to3,7,8.

(*c*) REVENUE-FREE LANDS.

Board of Revenue not to make or confirm revenue-free grants, etc., without authority of Local Government . . . Mad.Reg.1,1803,s.42.
Unauthorised alienation of land to be reported to Board; land not to be resumed without Board's authority . . . Mad.Reg.2,1803,s.41.
Board's authority required before Collector grants kauls or alienates land . . . . . „ ss.43,44.
Inam lands:
Suit for, may be brought in Civil Court . . . . Act23,1871,s.7(1). Mad.Act4,1862,s.1. Mad.Act4,1866,ss.1,3.
Proof of enfranchisement of . . . . . Mad.Act4,1862,s.2. Mad.Act4,1866,s.2.
Title-deeds of, not to affect rights, etc., of any person but the holder thereof . . . . . Mad. Acts 4, 1862, and 4, 1866, not to be deemed to confer on inam-holder any right to land which he would not otherwise possess . . . . . Mad.Act8,1869.

See also PERMANENT SETTLEMENT, 2.

4. Revenue-administration.

(*a*) COLLECTION OF LAND-REVENUE.

Land, buildings and products to be security for revenue . . Mad.Act2,1864,s.2.
Instalments and dates for payment of revenue . . . . „ s.3.
Duty of Board of Revenue to see that revenue is duly realised . Mad.Reg.1,1803,s.38.
Collector to see that revenue is paid regularly . . . . . Mad.Reg.2,1803,s.14.
Collection of revenue of lands held khas . . . . . „ s.26.
„ assessments for payment of police. . . . „ s.31.
Duties of Board of Revenue as to remission and suspension of revenue . . . . . Mad.Reg.1,1803,ss.55,56.
Receipts to be given for revenue . . . . . Mad.Reg.2,1803,ss.33to35. Mad.Act2,1864,s.56.
Power, where land-revenue is payable in kind, to prevent removal of crop until division made . . . . . „ s.51.

LAND-REVENUE—*contd.*

XIII.—MADRAS PRESIDENCY (EXCEPT THE CITY OF MADRAS) *contd.*

4. Revenue-administration—*contd.*

(*a*) COLLECTION OF LAND-REVENUE—*contd.*

Arrears of land-revenue :

Duties of Board of Revenue as to sale of permanently-settled land for arrears	Mad.Reg.1,1803,s.57.
To be recovered by Collector	Mad.Reg.2,1803.s.14.
Collector to give instructions, etc., to persons deputed to attach estates for arrears	,, s.15.
Conditions of sale to specify obligations not included in general conditions	,, s.19.
Recovery of arrears due in respect of estate of minor or other proprietor disqualified to manage his affairs	[1]Mad.Reg.5,1804,s.14(*4*). Mad.Reg.10,1831,s.2(*1*).
Recovery of arrears due in respect of estates held by native officers or soldiers	Mad.Reg.8,1817,s.9, App.,Form5.
Mad. Regs. 1 and 2, 1803, not to apply in case of arrears recoverable under Mad. Act 2, 1864	Mad.Act2,1864,s.62.
"Arrear" defined	,, s.4.
Processes for recovery of	,, ss.5,6.
Interest on	,, ss.7,54.
Notice of demand to be issued	,, ss.8,25.
Seizure and sale of moveable property ; distraint	,, ss.8to24.
Attachment and sale of land or buildings ; management of attached property ; rules as to sales	,, ss.25to45,47 (s.37am.,s.37Ains.ands.38 am.,Mad.Act1,1909,ss.2,3, 4).
Apportionment of assessment where only part of an estate sold	,, ss.45,46.
Arrest and imprisonment of defaulter or his surety	,, ss.48,49.
Enforcement of processes against sureties	,, ss.49,50.
Batta to be paid to process-servers	,, ss.53,54.
Owner of property put up for sale to bear expenses when sale countermanded	,, s.55.
Recovery of, outside the district in which default made	,, s.57.
Mad. Regs. 5, 1804, and 10, 1831, not affected by Mad. Act 2, 1864	,, s.63.
Permanently-settled estate not liable for arrears of assessment made on alienated portion, and *vice versâ*	Mad.Act1,1876,s.4.
Proceedings may be taken against person registered as proprietor of estate under Mad. Act 3, 1896 (Malabar and South Wynaad)	Mad.Act3,1896,s.13.
Recovery of arrears from occupants registered jointly with proprietors under Mad. Act 3, 1896	,, s.15.
Powers of Tahsildars for sale of property distrained for arrears of revenue ; their fees to be credited to Government ; delegation of such powers	Act7,1839,ss.2,3,5,6.
See also PERMANENT SETTLEMENT, 2.	
Certain sums declared to be recoverable as	Mad.Act2,1864,ss.1,52,54, 55. Mad.Act3,1896,s.17.

[1] Mad. Reg. 5, 1804, is repealed except in scheduled districts by Mad. Act I, 1902.

LAND-REVENUE—*contd.*

XIII.—MADRAS PRESIDENCY (EXCEPT THE CITY OF MADRAS)—*concld.*

4. Revenue-administration—*concld.*

(*b*) MISCELLANEOUS.

Bar to jurisdiction of Civil Courts in questions as to rate of land-revenue or amount of assessment fixed on partition; jurisdiction not affected in other cases, but six months' limitation imposed	Mad.Act2,1864,ss.58,59.
Suits against Collector in respect of acts of his predecessor; limitation	,, s.60.
Power of Revenue-officers to summon witnesses and require production of documents; procedure	Mad.Act3,1869.
Investiture of officers enquiring into matters connected with revenue-administration with power to summon witnesses and require production of documents, etc.; their procedure	Mad.Act5,1893.

XIV.—CITY OF MADRAS.

What included in "revenue"	Mad.Act6,1867,s.1.
All unassessed lands to be assessed; appeal to Board of Revenue	Act12,1851,ss.1,3.
What lakhiraj tenures to be valid	,, s.2.
Enquiry into claims to hold land free of assessment; assessment of land when claim not substantiated	,, s.12.
Power to order measurement of assessable lands; abatement or increase of revenue or rent when actual area found not to correspond with area charged for; appeal to Board of Revenue	,, ss.4to6.
Collection of land-revenue:	
Priority of Government claim for revenue	,, s.9.
Land and buildings to be security for revenue	Mad.Act6,1867,s.3.
Limitation of claims to arrears	Act12,1851,s.11.
Interest on arrears of revenue	Mad.Act6,1867,ss.5,29.
Distress and sale of moveable property for recovery of arrears of revenue	Act12,1851, s.10. Mad.Act6,1867,ss.4,6to 13,30.
Sale of land and buildings where arrears cannot be recovered by distress and sale of moveable property	Mad.Act6,1867,ss.4,14to 16,18to27,30.
Recovery by tenant, mortgagee, etc., of sums paid for person liable	Act12,1851,s.8. Mad.Act6,1867,s.17.
Allowances to process-servers	Mad.Act6,1867,ss.28,29.
Certain sums recoverable as arrears of revenue	,, ss.29,30.
Limitation of suits to contest proceedings under Act	,, s.31.
When Collector has left, suits to contest proceedings under Act may be brought against his successor	,, s.32.
Exclusion of jurisdiction of High Court in questions relating to ground-rent	Act12,1851,s.16.
Suits under Act to be tried by Civil Courts in Chingleput District	,, s.17.
Penalty for obstructing Collector or subordinates	,, s.13.
Power of Collector to punish contempts	,, s.14.
Control over Collector	,, s.15.
Mad. Act 6, 1867, to be taken as part of Act 12, 1851	Mad.Act6,1867,s.33.

LAND-REVENUE—*contd.*

XV.—NORTH-WEST FRONTIER PROVINCE AND PUNJAB.

1. Preliminary.

Definitions	Act17,1887,s.3.
Definition of "legal practitioner" amended in N.-W. Fr.	Reg.7,1901,s.3,Sch.1.
Exemption from Act of land occupied as site of town or village and not assessed to land-revenue	Act17,1887,s.4.
Power to vary limits and alter number of tahsils, districts and divisions	,, s.5.

2. Revenue-officers.

Classes of; appointment, general powers and removal of. (*See also* FINANCIAL COMMISSIONER)	Act17,1887,ss.6to10(ss.6,8, am.and7rep.inN.W.-Fr., Reg.7,1901,s.3,Sch.1).
Revenue Commissioner for N.-W. Fr., appointment, etc., of	Reg.7,1901,s.2(2).
,, ,, in N.-W. Fr. to discharge functions of Financial Commissioner or Commissioner	,, s.6(2).
Superintendence and control over	Act17,1887,ss.11,12(ss.11, 13to16am.in.N.-W.Fr., Reg.7,1901,s.3,Sch.1).
Appeals from orders of; limitation of appeal	,, ss.13,14,15)(3) (ss.11,13to16am.inN.-W. Fr.,Reg.7,1901,s.3,Sch. 1).
Revision of proceedings of	,, ss.15,16(ss.11, 13to16am.inN.-W. Fr., Reg.7,1901,s.3,Sch.1).
Procedure of; appearance of legal practitioners before issue of summons by; service of summons, notice or order of; mode of making proclamation; penalty	,, ss.17to22,149.
Place of sitting of; holidays	,, ss.23,24.
Temporary Collector to have powers of Collector under Act	,, s.25.
Retention of powers on transfer	,, s.26.
Authority to confer powers of, on other persons	,, s.27.
Investment of, with powers of Civil Court; exclusion of jurisdiction of Civil Courts	,, ss.136,137,158.
Execution by, of processes issued by Civil or Criminal Courts for attachment, etc., of land or produce	,, s.141.
Order of Civil Court for attachment of assigned land-revenue to require payment to Collector	,, s.142.

3. Assessment of Land-revenue.

Liability of land to	,, s.48.
Assessment may be in cash or in kind	
General assessment: procedure for making; confirmation and duration of	,, ss.49to54.
,, ,, refusal to be liable for assessment; transfer of estate to Collector; allowance to landowner	,, s.55.
,, ,, distribution of assessment of estate over holdings comprised therein	,, ss.56,57.

LAND-REVENUE—*contd.*

XV.—NORTH-WEST FRONTIER PROVINCE AND PUNJAB—*contd.*

3. Assessment of Land-revenue—*contd.*

General assessment: determination of land-revenue payable by tenant . . . . . Act16,1887,s.27.
,, ,, appeals . . . . . Act17,1887,s.58.
Special assessment: when it may be made; procedure; allowance to landowner refusing offer of waste-land . . . . ,, ss.59,60.
Settlement in Hazara District. *See* FRONTIER, E, 6.

4. Revenue-administration.

(*a*) COLLECTION OF LAND-REVENUE.

Security for payment of revenue . . . . . ,, ss.61,62.
,, ,, ,, ,, not affected by partition, except with consent of Financial Commissioner . . . ,, s.110.
Distribution of revenue after partition . . . . . ,, s.120.
Instalments, times, places and manner at and in which payments to be made . . . . . ,, s.63.
Power to make rules as to collection, remission and suspension of revenue . . . . . ,, s.64.
Collection of revenue on frontier . . . . . Reg.7,1874.
Arrear of land-revenue:
Certified account to be conclusive evidence of arrear, except in certain cases . . . . . Act17,1887,ss.66,78.
Processes for recovery of:
Writ of demand . . . . . ,, s.68.
Arrest and detention of defaulter . . . . . ,, s.69.
Distress and sale of moveable property and crops . . ,, s.70.
Transfer of holding to another . . . . . ,, s.71.
Attachment and official management of estate or holding . ,, ss.72,74.
Annulment of assessment, farming or official management of land, revision of assessment, and temporary suspension of contracts . . . . . ,, ss.73,74,
Sale of estate or building free of encumbrances . . . ,, ss.75,76.
Proceedings against immoveable property of defaulter other than the estate or holding in respect of which arrear is due . . . . . ,, s.77.
Procedure with reference to sale of immoveable property . ,, ss.79to96(ss.79(2),87rep.P.Act2,1905, Reg.2,1906,s.3).
Collector's permission required to institution of suit for arrear of assigned revenue . . . . . ,, s.64(*3*).
Costs of process recoverable as part of arrear . . . ,, s.65.
Right of person denying liability for an arrear to pay amount under protest and institute suit in Civil Court for recovery thereof . . . . . ,, s.78.
Recovery by Revenue-officer of arrear which should have been paid to village-officer . . . . . ,, s.97.

LAND-REVENUE—*contd.*

XV.—NORTH-WEST FRONTIER PROVINCE AND PUNJAB—*contd.*

4. Revenue-administration—*contd.*

(*a*) COLLECTION OF LAND-REVENUE—*contd.*

Arrear of land-revenue—*contd.*

Sums recoverable as arrears of land-revenue . . . . Act17,1887,ss.97,98,103.(3),106(2),147(3).

Application of Ch. IV (ss. 61 to 96) of Act to recovery of sums declared to be recoverable as arrears of land-revenue . . ,, s.99.

(*b*) RECORDS.

Making and revising of record-of-rights and patwaris' annual record . . . . . ,, ss.31to40,47.

Rights of Government to mines, minerals, forests, etc.; presumptions as to ownership; compensation for infringement of rights of third parties in exercise of Government right . . . ,, ss.41to43.

Presumption as to correctness of record; suit for declaration of right . . . . . ,, ss.44,45.

Power to make rules as to . . . . . ,, s.46.

Village papers deemed "public documents" . . . . ,, s.151.

Nullity of certain entries in record-of-rights affecting tenants, and saving of certain other such entries . . . . . Act16,1887,ss.109,111,112.

(*c*) VILLAGE OFFICERS, ETC.

Appointment, duties, emoluments and punishment of kanungos, zaildars, inamdars and village-officers; power to direct levy of contribution towards payment of zaildars and inamdars . Act17,1887,s.28.

Imposition, collection, etc., of cess for remunerating village-officers and for defraying certain expenditure connected with them . ,, s.29(am. Act4,1907).

Restrictions on attachment or assignment of remuneration of kanungo, zaildar, inamdar or village-officer . . . . ,, s.30.

(*d*) SURVEYS AND BOUNDARIES.

Power to make rules as to demarcation of boundaries of estates and erection of survey-marks . . . . . ,, s.100.

Powers and procedure for demarcation of boundaries of estate or part thereof, making of survey, and erection and repair of boundary-marks and survey-marks, by Revenue-officer . . ,, ss.101to106.

Power of Local Government to direct professional survey of land ,, s.107.

Destruction, etc., of survey-mark: penalty; report to Revenue-officer . . . . . ,, ss.108,109.

Arbitration in case of disputes . . . . . ,, ss.127to135.

See also ALLUVION AND DILUVION.

(*e*) PARTITION.

Partition by Revenue-officer:

Restrictions and limitations on . . . . . ,, s.112.

Application for . . . . . ,, ss.111, 113,114.

Power to reject application on preliminary enquiry . . ,, s.115.

LAND-REVENUE—*contd.*

XV.—NORTH-WEST FRONTIER PROVINCE AND PUNJAB—*contd.*

4. Revenue-administration—*contd.*

(e) PARTITION—*contd.*

Partition by Revenue-officer—*contd.*

Ascertainment and disposal of questions in dispute between persons interested; appeal	Act 17, 1887,	ss. 116 to 118.
Administration of property excluded from partition	„	s. 119.
Distribution of revenue and rent after	„	s. 120.
Instrument of partition to be prepared	„	s. 121.
Delivery of possession of property allotted	„	s. 122.
Affirmation by Revenue-officer of partition privately effected	„	s. 123.
Power to make rules as to costs	„	s. 124.
Power of Revenue-officer, on application, to re-distribute land in accordance with established custom	„	s. 125.
What Revenue-officers empowered to take proceedings	„	s. 126.
Arbitration in case of disputes	„	ss. 127 to 135.
Exclusion of jurisdiction of Civil Courts	„	s. 158 (xvii), (xviii).
Effect of partition under any law on joint liability for revenue or rent	„	s. 110.

(f) MISCELLANEOUS.

Deposit with Revenue-officer of sums, other than rent, payable to landowner or assignee of land-revenue on account of liability under Act; procedure and indemnification of Revenue-officer	„	ss. 138 to 140.
Preservation of attached produce	„	s. 143.
Division or appraisement of produce	„	s. 144.
Preparation of list of village-cesses; bar to recovery of cesses not included in list; power to impose conditions as to establishments; power to declare what are village-cesses	„	s. 145.
Power to commute superior landowner's dues into a fixed percentage of the land-revenue payable by inferior landowner	„	s. 146.
Substitution of service for payment of land-revenue	„	s. 147.
Recovery of cost of re-assessing land the land-revenue of which has been assigned	„	s. 148.
Power of Revenue-officer to eject co-sharer encroaching on common land	„	s. 150.
Restriction on Revenue-officers and employés bidding at auction or trading	„	s. 154.

5. Miscellaneous.

Arbitration in case of disputes	„	ss. 127 to 135.
Costs	„	s. 152.
Application of Indian Limitation Act, 1877[1], for computation of time	„	s. 153.
General power of Financial Commissioner to make rules	„	s. 155.
Control of Governor General in Council over making of rules; publication of rules in draft	„	s. 156.
Powers of Financial Commissioner exerciseable from time to time	„	s. 157.

[1] Rep. *See* Act 9, 1908.

LAND-REVENUE—*contd.*

XV.—NORTH-WEST FRONTIER PROVINCE AND PUNJAB—*concld.*

5. Miscellaneous - *contd.*

Temporary provisions regarding certain revenue-settlement and record-of-rights proceedings in N.-W. Fr. . . . . Reg.7,1901,s.93.

Khan of Teri; provision for levy, recovery, etc., of certain dues by . . . . . Reg.4,1902.

XVI.—UNITED PROVINCES.

1. Preliminary.

U. P. Act 3, 1901, extends to whole of United Provinces except certain territories, and may be extended to such territories by notification . . . . . U.P.Act3,1901,s.1,Sch.1.

Ben. Reg. 9, 1833, declared in force throughout the N.-W. Provinces, except as regards the Scheduled Districts . . . Act15,1874,s.7.

Definitions . . . . . U.P.Act3,1901,ss.4,106.

Power to create, alter and abolish divisions, districts, tahsils and sub-divisions; tahsils to be deemed sub-divisions . . . „ s.11.

2. Revenue-authorities.

Board of Revenue to be Chief Controlling Revenue-authority; its general powers; appointment and removal of members . „ ss.5,6.

Power of Board of Revenue to distribute business amongst its members; exercise of powers of Board by single member; no judicial order to be reversed except by two members . . „ ss.7,8,220(*3*).

Reference to Local Government where Board of Revenue equally divided on non-judicial question . . . . . „ s.9.

Power to authorise member to exercise functions of Board . „ s.10.

Appointment, etc., of Commissioners, Additional Commissioners, Collectors and Assistant Collectors . . . . . „ ss.12to16.

Assistant Collectors placed in charge of sub-divisons; powers of . „ ss.18,227.

Chief Executive officer of district to act for Collector in case of temporary vacancy . . . . . „ s.20.

Deputy Collectors:

Appointment of . . . . . Ben.Reg.9,1833,ss.16,17.

Natives eligible for office . . . . . „ s.17.

Remuneration of . . . . . „ s.18.

Subordination of; duties of; record of proceedings of . . „ ss.20to24.

Suspension and removal of . . . . . „ s.25.

Tahsildars and naib Tahsildars, appointment, etc., of . . U.P.Act3,1901,ss.17,234(*a*).

Subordination of . . . . . U. P.Act3,1901,ss.15(*2*),19.

Powers of, generally . . . . . „ ss.225to229.

Conferment of powers on . . . . . „ ss.221,223,224.

Transfer of cases to, and withdrawal of cases from, subordinates . . . . . „ ss.191,192.

Assistant Collector to have powers of Collector under Act . . „ s.225.

Retention of powers on transfer . . . . . „ s.222.

See also PATWARIS AND KANUNGOS, III.

LAND-REVENUE—*contd.*

XVI.—UNITED PROVINCES—*contd.*

3. Settlement.

Permanent Settlement, Benares. *See* PERMANENT SETTLEMENT, 3.

Liability of land to payment of revenue . . . . . U.P.Act3,1901,s.58.
Notification of settlement . . . . . „ s.59.
Duration of settlement-operations; transfer of pending proceedings to Collector . . . . . „ ss.59,105.
Appointment of Settlement-officers; transfer of certain duties of Collector to . . . . . „ ss.60,61.
Rules to be issued as to assessment . . . . . „ s.62.
Powers of Record-officer—
as to erection of boundary-marks . . . . . „ s.50.
General powers of Settlement-officers and others . . . . . „ ss.60,230to 232.
Settlement with whom to be made . . . . . „ s.65.
Framing and reporting of general proposals of assessment; declaration of amount of assessment. . . . . „ ss.63,64,234 (*g*).
Agreement to proposed assessment; distribution of assessment . „ ss.66,234(*h*).
Enforcement of customs as to redistribution of land or re-adjustment of revenue . . . . . „ s.67.
Exclusion of person not accepting assessment; farming or direct management of mahal by Collector . . . . . „ ss.68,69,71to 73.
Allowance to excluded proprietor . . . . . „ ss.68,70,72, 74.
Fixing of rent payable by proprietor or under-proprietor as ex-proprietary-tenant in mahal taken under direct management, etc. . . . . „ ss.186,187.
Power to determine which of several parties having separate interest shall be admitted to settlement, and to prescribe distribution of profits among them . . . . . „ (Agra),s.75.
Sub-settlements . . . . . „ (Agra),ss.76 to78.
Power to make arrangements for benefit of persons possessing rights which do not entitle them to settlement . „ (Agra),s.78.
„ make separate settlement of waste-land . . . „ (Agra),ss.80, 83.
„ declare certain waste-land to belong to Government; ascertainment and disposal of claims thereto . . „ (Agra),ss.80 to82.
Record-of-rights:
Power to order revision of records, etc.; effect of order; appointment of Record-officers . . . . . „ ss.48,49.
What to contain; periodical amendment of registers; report of succession or transfer of interest in mahals; disabilities and penalty for failure to report; fee for mutation . . . „ ss.32to39,55, 56,84,85,234(*d*),(*e*),(*i*).
Entries to be made, and disputes settled, on basis of possession; power in case of doubt to put in possession person having best apparent title; saving of right of suit . . . „ s.40.
Form of; attestation of . . . . . „ ss.53,54,234 (*d*).

LAND-REVENUE—*contd.*

XVI.—UNITED PROVINCES—*contd.*

3. Settlement—*contd.*

Record-of-rights—*contd.*

Presumption as to correction of entries in . . . . U.P.Act.3,1901,ss.44,57,84 (*4*).

Continuance of record until new record is made . . . „ s.32.

Cesses to be recorded; preparation of list of cesses; bar to recovery of cesses not included in list; power to impose conditions as to establishments; power to declare what are "cesses;" limitation to application to Oudh . . . „ ss.56,86.

Determination of disputes—

arising under s. 39 . . . . . „ s.39(*3*).

as to class or tenure of tenant . . . . . „ s.42.

Dispute as to rent payable; procedure on . . . . „ s.43.

Determination of rent of ex-proprietary-tenant or of occupancy-tenant by enhancement, abatement, etc.; commutation of rents payable in kind . . . . . „ ss.36,87to91, 104.

Length of occupancy, and grant of land made by proprietor, not to release land from liability for Government revenue . . „ s.58.

Record and enquiry as to revenue-free tenures; re-assessment . „ ss.92,93,234 (*k*).

Confirmation, revision and duration of settlement . . . „ s.94.

Revision of short-term settlements by Collector . . . „ ss.96,102, 234(*l*).

Authority to invest officers with powers of Settlement-officer during currency of settlement . . . . . „ s.97.

Annual enquiry as to revenue-free grants; assessment . . „ s.98.

Alteration of assessment on alluvion or diluvion . . . „ ss.99,102.

Continuance of conditions of tenure of land after expiry of settlement until new settlement made . . . . . „ s.95.

Determination of proportion of revenue of part of mahal transferred during currency of settlement . . . . . „ s.103.

Amendment of settlement for non-payment of arrears of revenue . . . . . „ ss.153to159, 234(*s*).

4. Revenue-administration.

(*a*) Collection of Land-revenue.

Provisions relating to recovery of arrears to apply to all arrears due at commencement of Act . . . . . „ s.188.

Security for land-revenue . . . . . „ s.141.

Joint and several liability of all co-proprietors for . . . „ ss.142,158.

Instalments, places and times at and in which, and persons to whom, payments to be made . . . . . „ ss.143,234(*o*).

Payment to be made through lambardar . . . . . „ ss.144,234(*p*).

Arrear of land-revenue:

Definition of "arrear" and "defaulter" . . . . . „ s.143.

No interest to be demanded on . . . . . „ s.145.

Certified account to be conclusive evidence of arrear, except in certain cases . . . . . „ s.147.

Issue of writ of demand . . . . . „

LAND-REVENUE—*contd.*

XVI.—UNITED PROVINCES—*contd.*

4. Revenue-administration—*contd.*

(*a*) COLLECTION OF LAND-REVENUE—*contd.*

Arrear of land-revenue—*contd.*

Processes for recovery; arrest and detention; transfer of defaulter's share to solvent co-sharer; annulment of settlement; attachment and sale of property; rules as to sales . U.P.Act3,1901,ss.146, 148to182, 234(*q*)to(*s*).

Exemption from annulment or sale in certain cases . . . „ ss.153,160.

Payment under protest, and suit for recovery of sum paid . „ s.183.

Fixing of rent payable by proprietor or under-proprietor as ex-proprietary-tenant of land in mahal attached, etc. . . . „ ss.186,187.

Right of assignee or taluqdar, etc., to sue for . . . . . U.P.Act2,1901,ss.161,162.

Right of lambardar or co-sharer paying revenue on account of others . . . . . „ ss.159,160; U.P.Act3,1901,ss.184,234 (*t*).

Recovery, as arrears of land-revenue, of—

costs, fees, fines, etc., payable under Act . . . . „ ss.208,234(*v*), 232.

Rent of under-proprietors in Oudh when recoverable as arrears of revenue . . . . . „ ss.185,234(*u*).

(*b*) RECORDS.

Maintenance of maps, field-books, record-of-rights and registers . „ ss.28,31to33, 234(*d*).

Records to be open to inspection . . . . . „ s.47.

Record-of-rights. *See also above*, 3.

(*c*) SURVEY AND BOUNDARIES.

Power of Collector, etc., to survey land and demarcate boundaries . . . . . „ s.190.

Erection, maintenance and repair of boundary-marks . . „ ss.29,30,50.

Settlement of disputes concerning boundaries . . . . „ ss.41,51.

(*d*) PARTITION AND UNION OF MAHALS.

Definition of "partition," "perfect partition" and "imperfect partition"; procedure generally applicable to all partitions . U.P.Act3,1901,s.106.

Application for partition; persons entitled to make application . „ s.107.

District in which partition to be made where mahal situated in several districts . . . . . „ s.108.

Power to disallow partition or quash partition proceedings . „ s.109.

Procedure on application: notice to recorded co-sharers who have not joined; disposal of objections to partition; procedure where objection raises question of title . . . . . „ ss.110to112.

Decision of Collector on question of title to be deemed to be decree of Civil Court; appeals . . . . . „ s.112.

Partition to be made by Collector or Assistant Collector: power to allow parties or their arbitrators to make; award of arbitrators . . . . . „ s.113.

Partition proceedings before Collector or Assistant Collector; powers of Collector; costs of partition . . . . . „ ss.114to116, 234(*m*).

XVI.—UNITED PROVINCES—*contd.*

4. Revenue-administration—*contd.*

(*d*) PARTITION AND UNION OF MAHALS—*contd.*

Principles to be followed by Collector in making partition : allotment to one co-sharer of land with building, garden, etc., belonging to another : exchange of land held as *sir* or in severalty ; provision for user of tanks, wells, etc., left joint	U.P.Act3,1901,	ss.117to 122,126,127.
Places of worship and burial-grounds not to be divided except by agreement	,,	s.121.
Perfect partition :		
not allowed where it involves formation of a mahal of less area than one hundred acres or less revenue than one hundred rupees	,,	s.109(2)
incompactness of portions, when a ground for disallowing	,,	s.124.
special provisions as to transfer of land held as *sir* or in severalty in making	,,	s.125.
Imperfect partition :		
special provision in, as to transfer of land held as *sir* or in severalty	,,	s.123.
may be made where perfect partition disallowed	,,	s.129.
Partition of two or more mahals belonging to same proprietors	,,	s.134.
Confirmation of partition : date from which partition takes effect	,,	s.131.
Distribution of revenue on partition	,,	s.130.
Power to divide mahal consisting of several villages into several mahals and distribute revenue	,,	ss.135,234(*n*).
Power to redistribute revenue and order refund by under-assessed to over-assessed proprietor in case of fraud or error affecting original distribution	,,	ss.136,137.
Appeals : partition not to be stayed by reason of appeal	,,	ss.132,133.
Partition of talukdari, under-proprietary mahals, etc.	,,	s.138.
Union of mahals forming portions of same village	,,	s.139
Application of ss. 106, *et. seq.*, to partition and union of revenue-free mahals	,,	s.140.

(*e*) MISCELLANEOUS.

Appointment of lambardar ; power to attach mahal and hold it under direct management until appointment of lambardar	,,	ss.45,234(*f*).
Obligation to furnish the information for preparation of record	,,	s.46
Power to put one party in possession when dispute arises on enquiry as to transfer of property	,,	s.40.

5. Miscellaneous.

Place for holding Court of Revenue-officer ; power to call for evidence ; procedure of Court ; power to give costs	,,	ss.189,193, 194,199to202,208,234(*v*).
Summonses, proclamations and notices : form, service or issue of ; notice or proclamation not void for error unless substantial injustice caused thereby	,,	ss.195to198.
Execution of orders made by Revenue-officer for delivery of possession of immoveable property	,,	s.209.

LAND-REVENUE—*concld.*

XVI.—UNITED PROVINCES—*concld.*

5. Miscellaneous—*contd.*

Bar to jurisdiction of Civil Courts	U.P.Act3,1901,ss.207,233.
Reference to arbitration	„ ss.203to207.
Appeals from orders of officers under Act; reference and revision	„ ss.210to220.
Judicial order not to be altered or reversed by Board without concurrent judgment of two members; exception	„ ss.8,10.
Power to transfer cases	„ ss.191,192.
Power of Board of Revenue to make rules	„ s.234.
Right of Government to recover arrears, etc., not affected by U. P. Act 2, 1903, s. 16	U.P.Act2,1903.s.16(3).

6. Special and Local Laws.

See BENARES, 1.

LANSDOWNE BRIDGE ACT, 1892. (*See* TOLLS, I)	Act8,1892.
LASCARS ACT, 1823.[1] (*See* MERCHANT SHIPPING)	4G.4,c.80.
LATRINES.	
Regulation of. *See cross-references from* DRAINS, LATRINES, ETC.	
LAW.	
Definitions of. *See* WORDS AND PHRASES.	
Ascertainment in one part of Her Majesty's Dominions of law in another part	22-3V.c.63.
Power, by Order in Council, to extend 22-3 Vict. c. 63 to places to which Foreign Jurisdiction Act, 1890, applies	53-4V.c.37,s.5,Sch.I.
Ascertainment of foreign law. *See* FOREIGN LAW.	
LAW REPORTS (INDIAN), 1875	Act18,1875.
LAW REPORTS.	
Authorisation of reports published under authority of Governor General in Council	Act18,1875,ss.3,4.
LAWS ACT (BANKI), 1881. (*See* BANKI)	Act25,1881.
„ „ (BURMA), 1898. (*See* BURMA)	Act13,1898.
„ „ (CENTRAL PROVINCES), 1875. (*See* CENTRAL PROVINCES)	Act20,1875.
„ „ „ „ 1879.	Act2,1879.
„ „ (LITTLE COCOS AND PREPARIS ISLANDS), 1883. (*See* LITTLE COCOS)	Act8,1883.
„ „ (OUDH), 1876. (*See* OUDH)	Act18,1876.
„ „ (PANCH MAHALS), 1885. (*See* PANCH MAHALS)	Act7,1885.
„ „ (PEINT), 1894. (*See* PEINT)	Bom.Act2,1894.
„ „ (PUNJAB), 1872. (*See* PUNJAB)	Act4,1872.
„ „ (RAIPUR AND KHATTRA), 1879. (*See* RAIPUR)	Act19,1879.
„ AMENDMENT ACT (PUNJAB), 1875. (*See* PUNJAB)	Act15,1875.
„ „ „ „ 1881. (*See* PUNJAB)	Act24,1881.
„ REGULATION (ADEN), 1891. (*See* ADEN)	Reg.2,1891.
„ „ (AJMERE), 1877. (*See* AJMERE)	Reg.3,1877.

[1] This short title was given by 59 & 60 Vict. c. 14.

LAWS REGULATION (ARAKAN HILL DISTRICT), 1874. (*See* ARAKAN HILLS) . . . . . Reg.9,1874.
" " (BRITISH BALUCHISTAN), 1890. (*See* BRITISH BALUCHISTAN) . . . . Reg.1,1890.
" " (SANTHAL PARGANAS), 1886 . . Reg.3,1886.
" AMENDMENT REGULATION (ARAKAN HILL DISTRICT), 1893 . . . . . Reg.8,1893.
LAWS LOCAL EXTENT ACT, 1874. (*See* ACTS AND REGULATIONS OF INDIAN LEGISLATURES, I ; ADEN ; ADMINISTRATION OF ESTATES (IND. LAW) ; AJMERE ; ALIEN ; ALLUVION AND DILUVION ; ANDAMAN AND NICOBAR ISLANDS ; ANGUL DISTRICT ; APPRENTICE ; ARAKAN HILLS ; ASSAM ; ASSIGNMENT ; BILL OF LADING ; CARRIER ; CASTE ; CENTRAL PROVINCES ; CHITTAGONG HILL TRACTS ; CHOTA NAGPUR ; CIVIL COURTS, III, VI ; COASTING TRADE ; CONVEYANCING AND LAW OF PROPERTY ; COORG ; COPYRIGHT ; COURT ; COURT OF WARDS, E ; COURT-FEES ; CRIMINAL LAW (IND.) ; CRIMINAL PROCEDURE (IND.) ; CUSTOMS (INLAND) ; DEBT ; DESERTION ; DISTURBED DISTRICT ; DOWER ; DRAINAGE, V ; EMBANKMENT, I ; ENDOWMENT ; ESCHEAT ; EXCISE ; FOREIGNER ; FORFEITURE ; GANJAM AND VIZAGAPATAM DISTRICTS ; GAZETTE ; GODAVERI DISTRICT ; GOVERNMENT OF INDIA ; HINDU WIDOW ; INDIAN MILITARY AND NAVAL FORCES ; INDIGO ; INTEREST ; IRRIGATION, VI ; JALPAIGURI AND DARJEELING DISTRICTS ; LACCADIVE ISLANDS ; LAND (IND. LAW) ; LANDHOLDER ; LANDLORD AND TENANT ; LAND REVENUE ; LEASE 2 ; LEGAL PRACTITIONER ; LUNATIC ; MANPUR PARGANA ; MARCHING TROOPS ; MARRIAGE, II ; MATRIMONIAL CAUSES ; MEHWASSI CHIEFS ; MERCHANT SHIPPING ; MORTGAGE ; OPIUM ; PANCH MAHALS ; PARTITION AND UNION OF IMMOVEABLE PROPERTY ; PATWARIS AND KANUNGOS ; PERMANENT SETTLEMENT ; POLICE ; POWER ; PRINTING PRESS AND PUBLICATION ; PUBLIC OFFICER ; PUNJAB ; REGISTRATION OF LAND ; SANTHAL PARGANAS ; SCHEDULED DISTRICTS ; SEAL ; SINDH ; SLAVERY ; SOCIETY ; SPITI ; STATE PRISONER ; STATE OFFENCES ; SUCCESSION ; TAXES ; TORT ; TRANSFER OF PROPERTY ; TRAVELLER ; TRUST ; UNITED PROVINCES OF AGRA AND OUDH ; VILLAGE ; VILLAGE COURTS ; WASTE LAND) . . . . . Act15,1874.

LEASE.

I. GENERALLY.

"Lease," "lessor," "lessee," "premium" and "rent" defined. (*See also* WORDS AND PHRASES) . . . . . Act4,1882,s.105.
Registered instrument when required ; unregistered instrument or oral agreement when sufficient . . . . . " s.107.
Act 4, 1882, s. 107 (Registration) :
Power to exempt territory from operation of . . . " s.1.
Not to apply to territory excluded from operation of Registration Act, 1877[1] . . . . . " s.1.
Extended to all cantonments . . . . . Act15,1910,s.29.
Duration and termination of . . . . . Act4,1882,ss.106,110.
Rights and liabilities of lessor and lessee in absence of contract or local usage . . . . . " s.108.
Rights of parties on transfer of . . . . . " s.109.

[1] Rep. *See* Act 16, 1903.

LEASE—*contd.*

1. GENERALLY—*contd.*

Determination of:
- Events on which lease determines . . . . . Act4,1882,s.111.
- Waiver of forfeiture . . . . . „ s.112.
- „ notice to quit . . . . . „ s.113.
- Relief against forfeiture for non-payment of rent . . . „ s.114.
- Effect of surrender and forfeiture on under-lease . . . „ s.115.
- „ holding over . . . . . „ s.116.

Ss. 105 to 116 not to apply to agricultural leases unless notified by Government . . . . . „ s.117.

See also LANDLORD AND TENANT; TRANSFER OF PROPERTY, A.

2. CASES GOVERNED BY ENGLISH LAW.

Act 28, 1866, declared in force throughout British India, except as regards the Scheduled Districts . . . Act15,1874,s.3.

„ „ applies only to cases to which English law is applicable . . . . . Act28,1866,s.45.

Definitions . . . . . „ s.1.

Restrictions on effect of licenses given under lease . . . „ ss.20,21.

Apportionment of conditions of re-entry in certain cases . . „ s.22.

LEGACY.

See ADMINISTRATION (INDIAN LAW), 3; SUCCESSION, 6.

LEGAL PRACTITIONERS ACT {1846, 1853, 1879} (*See* LEGAL PRACTITIONER) . . . Act1,1846. Act20,1853. Act18,1879.

„ „ „ 1884 . . . . . Act9,1884.

„ „ „ 1896 . . . . . Act11,1896.

„ „ „ (AMENDMENT) ACT, 1908 . Act1,1908.

LEGAL PRACTITIONER.

1827. Bom. Reg. 2, ss. 47 to 54, 56 (Pleaders, Bombay Presidency).
1846. Act 1 (Pleaders, etc., Bombay and Madras Presidencies).
1853. Act 20 (Pleaders, etc., Bombay and Madras Presidencies).
1865. Act 20, s. 3 (Repeal).
1866. Bom. Act 12, ss. 16, 17 (Courts, Sindh).
1869. Ben. Act 2, s. 21 (Tenures, Chota Nagpur).
1874. Act 15, ss. 4, 5 (Laws Local Extent).
1877. Reg. 1, s. 27 (Courts, Ajmere).
„ Reg. 2, s. 118 (Revenue Agents, Ajmere).
1879. Act 17, s. 68 (Dekkhan Agriculturists).
1879. Act 18 (Legal Practitioners, Assam, Bengal, etc.).
1894. Reg. 1, s. 3 (Laws, Angul).
1896. Reg. 1, ss. 25 to 29, 38 (Civil Courts, Upper Burma).
„ Reg. 9, s. 90 (*d*) (Civil Justice, British Baluchistan).
1898, Act 5, s. 557 (Cr. Procedure).
1900. Act 6, s. 40 (Courts, Lower Burma).
1900. Reg. 1, s. 18 (2) (*b*) (Chittagong Hill Tracts).
1901. Reg. 7, ss. 5, 9 (Laws, N.-W. Fr.).
1903. U. P. Act 2, s. 21 (Land Alienation).
1908. Act 5, s. 119 (Civil Procedure).
„ Act 14, s. 4 (Cr. Law Amendment).

GENERALLY.
1. ASSAM, BENGAL, CENTRAL PROVINCES, LOWER BURMA, N.-W. PROVINCES, OUDH, PUNJAB, ETC.
2. AJMERE.
3. BRITISH BALUCHISTAN.
4. BOMBAY AND MADRAS PRESIDENCIES.
5. NORTH-WEST FRONTIER PROVINCE.
6. UPPER BURMA (EXCEPT THE SHAN STATES).

LEGAL PRACTITIONER—*contd.*

GENERALLY.

Definitions of "legal practitioner." *See* WORDS AND PHRASES.
Unauthorised persons not to address Chartered High Court . }
Saving of such Courts' power to make rules concerning Advocates, Vakils and Attorneys. *See also* INSOLVENCY, A. . } Act5,1908,s.119.
Pleader not to appear before Magistrate holding inquiry under Act 14, 1908 . . . . . } Act14,1908,s.4.
Practising pleader not to sit as Magistrate in certain Courts . Act5,1898,s.557.
See also ACTIONABLE CLAIM; SOLICITOR.

1. BENGAL, CENTRAL PROVINCES, EASTERN BENGAL AND ASSAM, [1] LOWER BURMA, PUNJAB, UNITED PROVINCES, ETC.

Act 18, 1879, applies *proprio vigore* to Bengal, Central Provinces, Eastern Bengal and Assam, Punjab and United Provinces and may be extended by notification to other Provinces [1] . . . . } Act18,1879,s.1.
„ „ declared in force in Angul District . . . Reg.1,1894,s.3.
Definitions . . . . . Act18,1879,s.3.
Advocates and vakils duly enrolled:
In what Courts they may practise . . . . . „ s.4.
Power of non-chartered High Courts to enrol and punish advocates . . . . . } „ s.41.
Attorneys duly enrolled:
In what Courts they may practise . . . . . „ s.5.
Pleaders, mukhtars and revenue agents:
Power to make rules as to qualifications, admission, etc., of . „ ss.6,16,17.
Appointment of examiners and conduct of examinations . „ s.37.
Grant and renewal of certificates to . . . . . „ ss.6,7,17,18.
Certificate to practise as revenue agent not to be granted in Ajmere . . . . . } Reg.2,1877,s.118.
In what Courts and offices they may practise . . . Act18,1879,ss.7to10,19,20.
Power to make rules declaring functions, etc., of mukhtars or revenue agents . . . . . } „ ss.11,16,17.
Punishment of, for touting or other misconduct . . . } „ ss.6,12to17,21to24,32to35,39,40.
Power to frame and publish list of touts . . . . . „ s.36.
Certificates of; stamping of . . . . . „ s.25,Sch.II.
„ surrender of, on suspension or dismissal of holder . . . . . } „ s.26.
Regulation of remuneration of . . . . . „ ss.27,28to31.
Act 18, 1879, not to apply to High Court practitioners, except as specially provided . . . . . „ s.38.
Mukhtar or vakil not to be heard before Special Commissioner under Chota Nagpur Tenures Act, 1869, unless with consent of such Commissioner . . . . . } Ben.Act2,1869,s.21.
Power of Local Government to make rules prohibiting, restricting or regulating appearance of, in Chittagong Hill Tracts . } Reg.1,1900,s.18(2)(*b*).
Legal practitioner not to appear in cases under U. P. Act 2, 1903 . . . . . } U.P.Act2,1903,s.21.
Right of audience of Advocates and other legal practitioners of abolished Courts in Lower Burma preserved . . . } Act6,1900,s.40.

[1] Section 3 and Chapters II, III, V to VIII and the second schedule of Act 18,1879, have been extended to Lower Burma [*See* Burma Gazette, 1900, Pt. I, p. 320; 1908, Pt. I, p. 18].

LEGAL PRACTITIONER—*contd.*

2. AJMEER.

No person to be admitted or enrolled as a pleader or mukhtar in Ajmere under Act 18, 1879 . . . . . Reg.1,1877,s.27.

3. BRITISH BALUCHISTAN.

Power to make rules as to qualifications of and conditions to be imposed on legal practitioners in British Baluchistan . . Reg.9,1896,s.90(*d*).

4. BOMBAY AND MADRAS PRESIDENCIES.

Bom. Reg. 2, 1827, ss. 47 to 54 and 56, declared in force throughout the Presidency of Bombay, except as regards the Scheduled Districts . . . . . Act15,1874,s.5.

Acts 1, 1846, and 20, 1853, declared in force throughout the Presidencies of Bombay and Madras, except as regards the Scheduled Districts . . . . . „ ss.4,5.

Advocates :

Right of barristers to plead in Sadr Courts and subordinate Courts, subject to rules of those Courts . . . . (Bo.,M.)Act1,1846,s.5. (Bo.,M.)Act20,1853,s.4.

Attorneys :

Right of enrolled attorneys to plead in Sadr Courts and subordinate Courts, subject to rules of those Courts . . . (Bo.,M.)Act20,1853,ss.3,4.

Pleaders :

Office of pleader open to all, but certificate required . . . (Bo.,M.)Act1,1846,s.4.

To hold document authorising them to act ; no limitation on number of pleaders . . . . . (Bo.)Bom.Reg.2,1827,s. 47(*1*),(*2*),(*4*), 48(*1*),(*3*).5. (*1*),Schs.J.K.

In what Courts they may practise . . . . . „ s.49.

Remuneration of . . . . . „ ss.50(*2*),52(*1*)to (*4*), App.L. (Bo.,M.)Act1,1846,ss.7, 8,9.

Punishment of . . . . . (Bo.)Bom.Reg.2,1827, ss.50(*3*),51(*2*), 50(*4*),54(*1*),56. (Bo.,M.)Act1,1846,ss.10, 12.

To give written receipts for documents received from clients . (Bo.)Bom.Reg.2,1827,s. 51(*2*).

Withdrawal of, from case . . . . . „ s.53(*3*).

To report when they are unable to attend Court . . . . „ s.54(*1*).

Not bound to attend Court except at hearing of cause in which employed . . . . . (Bo.,M.)Act20,1853,s.2.

Application to pleaders in Munsifs' Courts of rules as to pleaders in District Courts . . . . . (Bo.,M.)Act1,1846,s.11.

Act 1, 1846, not to apply to vakils in Courts under Mad. Regs. 5 or 12 of 1816 or Mad. Act 1, 1889 . . . . . Act1,1846,s.13. Mad.Act1,1889,s.2.

Acts 1, 1846, and 20, 1853, repealed—

in places to which Act 20, 1865, was extended . . . Act20,1865,s.3.

in Provinces in which Act 18, 1879, is in force . . . Act18,1879,s.42.

Legal practitioners not to appear before Village Munsif or Conciliator under Dekkhan Agriculturists' Relief Act . . . . Act17,1879,s.68.

LEGAL PRACTITIONER—*contd.*

4. BOMBAY AND MADRAS PRESIDENCIES—*contd.*

Sindh

Power to make rules as to qualifications and admission of pleaders in . . . . . } Bom.Act12,1866,s.16.
Punishment of pleaders in . . . . . }
Remuneration of pleaders in . . . . . „ s.17.

5. NORTH-WEST FRONTIER PROVINCE.

Act 18, 1879, except s. 36 as substituted by Act 11, 1896, s. 4, repealed . . . . . } Reg.7,1901,s.5,Sch.3.
Power of Judicial Commissioner to make rules as to qualifications and conditions for admission as legal practitioners and as to their fees and as to when they may address Court in English . } „ ss.9(2),44(1)(a),(d).
Legal practitioners to get authority from Judicial Commissioner to appear and practise; concurrence of Revenue Commissioner required in case of Revenue Courts; "pleader" defined } „ s.9(1),(4).
Penalty for unauthorised persons practising as legal practitioners in . . . . . } „ s.9(5).

6. UPPER BURMA (EXCEPT THE SHAN STATES).

Advocates to be licensed by Judicial Commissioner . . . Reg.1,1896,ss.25,26,38.
Control, taxation and regulation of advocates' fees . . . „ ss.27,28,38.
Penalty for receiving or giving commission . . . . „ s.29.

LEGAL REPRESENTATIVES SUITS ACT, 1855. (*See* ADMINISTRATION OF ESTATES (IND. LAW); TORTS) . . . } Act12,1855.

LEGISLATIVE COUNCILS. *See* GOVERNMENT OF INDIA, 2, (*c*).

LEGISLATIVE POWERS. *See* EUROPEAN BRITISH SUBJECT; GOVERNMENT OF INDIA, 2.

LEGISLATURE; definitions of. *See* WORDS AND PHRASES.

LEPERS ACT, 1898 (*See* LEPER) Act3,1898.

LEPERS (AMENDMENT) ACT, 1903 . . . . . Act13,1903.

LEPER.

Act 3, 1898, extent and commencement of . . . . . Act3,1898,s.1.
„ „ declared in force in Santhál Parganas . . . Reg.3,1872,s.3,Sch.
„ „ „ „ Upper Burma except Shan States Act13,1898,s.4,Sch.1.
Definition of "leper," "pauper leper" . . . . . Act3,1898,s.2.
Asylum:
Appointment of; specification of area and constitution of Board for; and appointment of Superintendent of . . } Act3,1898,ss.3,4,5.
Detention of pauper lepers in . . . . . „ s.8.
Inspection of, by Board . . . . . „ s.13.
Local authority, powers of, to expend funds for and appropriate property for use as . . . . . } „ s.17.
Inspector of lepers, appointment of . . . . . „ s.4.
Lepers within asylum areas, power to prohibit, from following certain trades and doing certain acts; punishment for disobeying prohibition . . . . . } „ ss.9,10.
Penalty on person employing lepers in prohibited trade, etc. . „ s.11.
Declaration by, that a person is leper: appeal . . . . „ ss.7,15.

LEPER—*contd.*
Native States, lepers in . . . . . Act3,1898,s.19.
Pauper leper:
Arrest of . . . . . ,, s.6.
Procedure with regard to . . . . . ,, ss.6,8.
Detention of, in asylum . . . . . ,, s.2(*1*).
Re-arrest on escape . . . . . ,, s.12.
Discharge of by order of Board . . . . . ,, s.14.
Suit, etc., against person acting in good faith barred . . . ,, s.18.
Rules; power of Local Government to make . . . . . ,, s.16.
LETTERS PATENT. *See* PATENT.
LICENSE.
Act 5, 1882, extends *proprio vigore* to Sambalpur District (Bengal), Central Provinces, Coorg and Madras Presidency . . . . . [1]Act5,1882,s.1.
,, ,, extended to Bombay Presidency and United Provinces . . . . . Act8,1891.
,, ,, not to affect certain rights . . . . . Act5,1882,s.2.
Definition of. (*See also* WORDS AND PHRASES) . . . s.52.
Grant of . . . . . Act5,1882,ss.53,54. 57,58.
"Accessory license" defined . . . . . ,, s.55.
When transferable . . . . . ,, s.56.
Grantor's transferee not barred by . . . . . ,, s.59.
Revocation of . . . . . ,, ss.60to63.
Rights of licensee on eviction . . . . . ,, s.64.
See also LEASE, 2.
LICENSED WAREHOUSE AND FIRE BRIGADE ACT, 1893. (*See* FIRE) . . . . . Ben.Act1,1893.
,, ,, ,, AMENDMENT ACT, 1894 . Ben.Act1,1894.
LIEN.
Of agent, on principal's property . . . . . Act9,1872,s.221.
Of bailee . . . . . ,, s.170.
Of banker, factor, wharfinger, attorney, policy-broker . . ,, s.171.
Of person making advance for cultivation of indigo. *See* INDIGO.
Of Railway-administration . . . . . Act9,1890,s.55.
Of seller of goods . . . . . Act9,1872,ss.95to98.
For freight. *See* MERCHANT SHIPPING, 6.
In case of Dekkhan Agriculturist, must be in writing . . Act17,1879,s.70.
LIEUTENANT-GOVERNOR. *See* GOVERNMENT OF INDIA, 2 (*c*).
LIFE.
Offences affecting. *See* CRIMINAL LAW (INDIAN), 14 (*a*).
Appliances for saving. *See* MERCHANT SHIPPING, 7 (*a*).
LIGHTHOUSE. *See* MERCHANT SHIPPING, 10.
LIGHTS (COAST). *See* MERCHANT SHIPPING, 7 (*a*).
LIMITATION ACT (INDIAN), 1908 . . . . . Act9,1908.
LIMITATION OF TIME.

[1] Act 5, 1882, has been extended to Ajmer-Merwara by notification under Act 14, 1874.

LIMITATION OF TIME—*contd.*

1. PRELIMINARY.

Act 9, 1908, extends to whole of British India . . . . Act9,1908,s.1.
„ „ ss. 2 to 25, not to apply to suits under Act 4, 1869 (Divorce) . . . . . „ s.29(2).
„ „ not to affect Act 9, 1872 (Contract), s. 25 . . „ s.29(1)(a).
„ „ not to affect any special or local law . . . „ s.29(1)(b).

2. SUITS, APPEALS AND APPLICATIONS.

General list of; time prescribed for institution of suits, presentation of appeals and making of applications . . . Act9,1908,s.3,Sch.I.
Extinguishment of right to property on expiry of period of limitation . . . . . Act9,1908,s.28.
Period of limitation for certain suits in Punjab . . . . PunjabAct1,1904.
To be dismissed if not instituted, presented or made within prescribed time . . . . . Act9,1908,s.3.
Suits when deemed to be instituted . . . . . „ s.3.
Continuous running of time . . . . . „ s.9.
Time not to run—
while Court closed . . . . . „ s.4.
during minority or insanity . . . . . „ ss.6,8.
When time does not run against joint creditor or claimant. . „ ss.7,8.
Power to admit appeal or application for review after expiration of time . . . . . „ s.5.
Suit against express trustee not barred by any length of time . „ s.10.
Exclusion of foreign laws of limitation . . . . . „ s.11.
Computation of time:
Exclusion of time in certain cases . . . . . „ ss.12to16.
Effect of death before right to sue accrues . . . . „ s.17
„ fraud . . . . . „ s.18.
„ acknowledgment in writing . . . . . „ ss.19,21.
„ payment of interest, or part payment of principal, or receipt of produce of mortgaged land . . . „ ss.20,21.
„ substituting or adding new plaintiff or defendant . „ s.22.
In case of continuing breaches or wrongs . . . . „ s.23.
„ suit for compensation to act not actionable without special damage . . . . . „ s.24.
Application of Gregorian calendar . . . . . „ s.25.

LIQUOR.

Definitions of. *See* WORDS AND PHRASES.
Duty on imports of, by sea, and imports by land from foreign territory . . . . . Act8,1894,ss.3,5,Sch.3.
See also CUSTOMS (SEA); EXCISE.

LITERARY SOCIETY. *See* SOCIETY, 1.

LITTLE COCOS AND PREPARIS ISLANDS LAWS ACT, 1883. (*See* LITTLE COCOS ETC.) . . . . . Act8,1883.

LITTLE COCOS ISLAND AND PREPARIS ISLAND.

Laws in force in Hanthawaddy District to apply to . . . „ s.2.
No longer subject to the Andamans Regulation, 1876, and no longer a Scheduled District . . . . . „ s.4.

LIVE STOCK IMPORTATION ACT, 1898. (*See* ANIMAL, A, 1; CUSTOMS) . . . . . Act9,1898.

LOAD-LINES. *See* MERCHANT SHIPPING, 7 (*a*).

LOAN.

A.—ENGLISH LAW.

See FINANCE; GOVERNMENT OF INDIA, 1.

B.—INDIAN LAW.

1. Preliminary.

Act 11, 1879, extends to whole of British India . . . Act11,1879,s.1.
" " declared in force in the Santhál Parganas . . Reg.3,1872,s.3,Sch.
" " " in Upper Burma except Shan States . . . . . Act13,1898,s.4,Sch.1.
Act 19, 1883, extends to whole of British India, but does not come into force till notified . . . . . Act19,1883,s.1.
" " declared in force in—
the Santhál Parganas . . . . . Reg.3,1872,s.3,Sch.
Upper Burma generally (except the Shan States) Act13,1898,s.4,Sch.1.
Act 12, 1884, extends *prprio vigore* to certain Provinces and may be extended to others by notification . . . . . Act12,1884,s.2.
Act 12, 1884, declared in force in Upper Burma, except Shan States Act13,1898,s.4,Sch.1
Act 15, 1885 (amending Act 11, 1879), declared in force in the Santhál Parganas . . . . . Reg.3,1872,s.3,Sch.
Act 12, 1897, extends to whole of British India . . . Act12,1897,s.1.
" " declared in force in Upper Burma except Shan States . . . . . Act13,1898,s,4.Sch.1.

2. To Local Authorities.

(*a*) IN ORDINARY CASES.

Definitions . . . . . Act11,1879,s.3.
Power of Local Authority to apply to Government for loan, on security of its funds, for carrying out works which it is legally authorised to undertake . . . . . " s.4.
Power of Governor General in Council to make rules as to such loans . . . . . " s.5.
Power to attach such funds if loan, interest or costs not paid . " s.6.
Power to authorise Local Authority to borrow from private person on security of its funds; application of ss. 5 and 6 of Act . " s.7.
Application of Act to loans existing before 5th September 1871 . " s.9.
Local Authorities not to borrow otherwise than under Act; exceptions . . . . . " s.8.
Power of certain local authorities to borrow on short term bills or promissory notes . . . . . Act3,1904,s.2.
Power of certain local authorities to borrow to repay previous loans . . . . . s.3.
In Madras Presidency. *See* LOCAL AUTHORITY.
Act 11, 1879, not affected by—
Local Self-government Acts:
U. P. . . . . U.P.Act3,1906,s.2(3).
Punjab . . . . . Act20,1883,s.63.

LOAN—*contd.*

B.—INDIAN LAW—*contd.*

2. To Local Authorities—*contd.*

(*a*) IN ORDINARY CASES—*contd.*

Borrowing powers of Municipal Commissioners :
See under MUNICIPALITY, (*Sub-heading*, "FUNDS and PROPERTY.")

Borrowing powers of—
Port Trustees, etc.— *See* PORT COMMISSIONERS, ETC.— (*Sub-heading*, 4).

(*b*) IN EMERGENT CASES.

Power of Local Authority, with previous sanction of Governor General in Council, to borrow, on security of its funds, for famine-relief or prevention of outbreak or spread of dangerous epidemic disease	Act12,1897,s.2.	
Power of Governor General in Council to impose conditions on such loans	,,	s.3.
Application of Act 11, 1879, ss. 6, 7, to such loans	,,	s.4.
Application of Act 12, 1897, to loans made before commencement of Act	,,	s.5.

3. To Agriculturists.

(*a*) FOR AGRICULTURAL IMPROVEMENTS.

Definition of "Collector"	Act19,1883,s.3.	
Purposes for which, and persons to whom, loan may be granted by public officer	,,	s.4.
Applications for loans how dealt with	,,	s.5.
Order granting loan conclusive evidence on certain points	,,	s.8.
Liability of joint borrowers as between themselves	,,	s.9.
Repayment and recovery of loans	,,	ss.6,7.
Power of Government to make rules as to loans	,,	s.10.
Exemption from land-revenue of improvements made with aid of loan granted under Act	,,	s.11.
Registration of orders granting loans under Act 19, 1883	Act16,1908,s.89(*1*).	

(*b*) FOR OTHER AGRICULTURAL PURPOSES.

Power of Government to make rules as to loans to owners and occupiers of arable land for relief of distress, purchase of seed or cattle or other agricultural purposes not specified in Act 19, 1883	Act12,1884,s.4.	
Recovery of such loans	,,	s.5.
Liability of joint borrowers as between themselves	,,	s.6.
Registration of orders granting loans under Act12, 1884	Act16,1908,s.89(*3*).	

(*c*) SPECIAL PROVISIONS FOR MADRAS PRESIDENCY.

Board of Revenue to recommend to Local Government loans for takkavi, repairs or improvements	Mad.Reg.1,1803,s.51.
Collector not to make loans for cultivation, repairs of tanks, etc., without sanction of Local Government	Mad.Reg.2,1803,s.59.

LOAN—*contd.*

B.—INDIAN LAW—*contd.*

4. Miscellaneous.

Borrowing powers of Railway Companies. *See* RAILWAY, 10.

Loans to or by Co-operative Credit Societies. *See* SOCIETY, 3.

Provision for summary realization of loans granted by Local Government during pending famine operations . . . U.P.Act1,1897.

Loans to or by member of Indin Civil Service; prohibition of. *See* GOVERNMENT OF INDIA, 2 (*d*).

Loan for drainage scheme. [*See* DRAINAGE I, B, 3.]

LOCAL AUTHORITIES LOAN ACT, 1879. [*See* LOAN, B 2 (*a*), LOCAL SELF-GOVERNMENT I; MUNICIPALITY I; PORT COMMISSIONERS, etc.,] Act11,1879.

" " " " 1888. (*See* LOCAL AUTHORITY) . . . . Mad.Act1,1888.

" " " " 1904. [*See* LOAN, B, 2 (*a*)] . Act3,1904.

" " " " (1879) AMENDMENT ACT, 1885 . . . . Act15,1885.

" " "(AMENDMENT) ACT 1905 . . Act1,1905.
1907 . . Act5,1907.
1908 . . Act8,1908.

" " (EMERGENCY) LOANS ACT, 1897. Act12,1897.

" " [*See* LOAN, B 2 (*b*)] .

LOCAL AUTHORITY.

Defined. *See* WORDS AND PHRASES.

Acquisition of land for. *See* LAND (INDIAN LAW), A. (2) (*b*), (*c*).

Powers, etc., of, as to construction of tramway. *See* TRAMWAY; TRAMWAYS.

Further powers of. *See* LEPER.

Placing and maintaining telegraph lines and posts on property of . Act13,1885,ss.12to15.

See ELECTRICITY.

To furnish annual returns to facilitate recovery of income-tax . Act2,1886,s.10.

Payment by, of cost of bridges at railway level-crossing . . Act9,1890,s.14.

Control over taxation of railway by . . . . . ,, s.135.

Prohibition of receipt by, as money, of metal which is not coin . Act1,1889,s.8.

See also MARCHING TROOPS; PROVIDENT FUND.

Mad. Act 1, 1888, extends to whole of Madras Presidency . . Mad.Act1,1888,s.1.

Definitions . . . . . ,, s.2.

Power of Government to authorise Local Authority to charge its funds for payment of interest on, or for repayment of, moneys expended on work to which such funds might lawfully be applied . . . . . ,, s.3.

Power of Local Government to make rules as to such charging . ,, s.5.

Power to attach such funds if engagements not fulfilled . . ,, s.4.

Ch. V of Bengal Tenancy Act,1885, not to confer right of occupancy in and Ch. VI thereof (non-occupancy raiyats) not to apply to land acquired by Government for a local authority . Act8,1885,s.116(am.Ben. Act1,1907,s.40,E.B. &A.,Act1,1908,s.40).

Loans to. *See* LOAN, B, 2.

LOCAL AUTHORITY—*contd.*
Particular Local Authorities. *See* CANTONMENT; DRAINAGE, I, B, C; LOCAL SELF-GOVERNMENT; MUNICIPALITY; PORT COMMISSIONERS OR TRUSTEES.

LOCAL BOARDS ACT (BOMBAY), 1884. } (*See* LOCAL SELF-GOVERNMENT) } Bom.Act1,1884.
" " " (MADRAS), 1884. } Mad.Act5,1884.

LOCAL FUNDS ACT (BOMBAY), 1869. } (*See* LOCAL RATES) } Bom.Act3,1869.
" " " (SINDH), 1865.[1] } Bom.Act8,1865.

LOCAL GOVERNMENT; definitions of. *See* WORDS AND PHRASES.

LOCAL AND RURAL POLICE RATES ACT (UNITED PROVINCES), 1906 . . . . . } U.P.Act2,1906.

LOCAL RATES REGULATION (ASSAM), 1879 . . . . Reg.3,1879.

LOCAL RATES AND CESSES.

AJMERE.
A.—ASSAM (LOCAL RATE).
B.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL (ROAD CESS AND PUBLIC WORKS CESS).
C.—BOMBAY PRESIDENCY.
COORG.
D.—LOWER BURMA (CESSES AND HOUSE-TAX).
E.—CENTRAL PROVINCES (LOCAL RATE).
MADRAS PRESIDENCY (VILLAGE CESSES).
F.—UNITED PROVINCES (LOCAL RATE).
G.—OUDH (LOCAL RATES).
H.—PUNJAB (LOCAL RATE).

AJMERE.

See LOCAL SELF-GOVERNMENT, II, 5.

A.—ASSAM (LOCAL RATE).

Definitions . . . . . Reg.3,1879,s.2.
All land liable to rate in addition to land-revenue and local cesses; maximum amount imposable . . . . . } " s.3.
Cessation or diminution of cess when rate imposed . . . " s.4.
Power to make rules and orders as to assessment and collection of rate and exempting land from rate . . . . . } " s.6.
Landholders to furnish information; in default, enquiry and surveys may be made . . . . . } " s.7.
Costs of assessment recoverable from landholders in certain cases " s.10.
Appeal from assessment . . . . . " ss.8,9.
Recovery of rate . . . . . " s.5.
Power of landholder under certain circumstances to recover share of rate from tenant . . . . . } " s.17.
Proceeds of rate to be carried to credit of a general Provincial Fund . . . . . } " s.11.
Application of rate for famine relief, works of general provincial utility and local improvements . . . . . } " ss.12,13.
District and Branch Committees for application of funds allotted under s. 12 . . . . . } " ss.14,15.
Accounts . . . . . " s.16.
Suits by what Courts cognizable . . . . . " s.18.

[1] This short title was given by Bom. Act 1, 1884, s. 2.

LOCAL RATES AND CESSES—*contd.*

B.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL (ROAD CESS AND PUBLIC WORKS CESS).

1. Preliminary.

Ben. Act 9, 1880, extends to certain districts in Bengal and Eastern Bengal and may be extended to others by notification . . . . Ben. Act 9, 1880, s. 2.
„ „ „ not to affect immoveable property in Calcutta or in provincial municipalities . . . Ben. Act 9, 1880, s. 2.
„ „ „ power to exempt district, estate or tenure from operation of . . . . . Ben. Act 9, 1880, s. 2.
Definitions . . . . . „ s. 4 (am., Ben. Act 4, 1910, s. 2).

2. Imposition and application of Cesses.

All immoveable property liable to Road cess and Public Works cess . . . . . „ s. 5.
Previous sanction of Governor General in Council required to levy of cesses on railways or tramways belonging to or guaranteed by Government . . . . . „ s. 8.
Application of proceeds of road cess. [*See also below*, 4 (1)] . „ s. 9.
„ „ „ public works cess . . . . „ s. 10.

3. Assessment, Payment and Recovery of Cesses.

Rate of cess how to be fixed; maximum allowed . . . „ ss. 6, 38 to 40, 148, 153.
District Board to fix rate of road cess annually . . . Ben. Act 3, 1885, s. 46.
Announcement of rate when fixed . . . . . Ben. Act 9, 1880, ss. 40, 154 to 156.
Limitation on amount of cess payable by Local Government . „ s. 7.
Cess how to be assessed . . . . . „ s. 6.
Power to fix and alter cess year . . . . . „ s. 11.
Valuation and re-valuation of lands for purposes of assessment:
General provisions . . . . . „ ss. 12 to 32, 92, 94, 95, Schs. A, B (ss. 12, 14, 15, 16 am., ss. 22, 23 sub.) and s. 94 rep. pt. Ben. Act 4, 1910, ss. 3 to 6, 17).
Special provisions as to lands used for cultivation of tea, coffee or cinchona . . . . . „ s. 33, Sch. C.
Preparation and publication of valuation-rolls . . . „ ss. 34, 35.
Duration of valuations and re-valuations . . . . „ s. 36 (am. Ben. Act 4, 1910, ss. 5, 7).
Power to reduce valuations and to value estates and tenures not previously valued . . . . . „ s. 37 (am. Ben. Act 4, 1910, ss. 5, 7).
Procedure for valuation of lands in respect of which record-of-rights is being prepared, revised or maintained; duration of valuation and power of Collector to reduce valuation . . „ ss. 37A to 37I (ins. Ben. Act 4, 1910, s. 8).
Distribution of valuation in case of partition . . . s. 43.

LOCAL RATES AND CESSES—*contd.*

B.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL (ROAD CESS AND PUBLIC WORKS CESS)—*contd.*

3. Assessment, Payment and Recovery of Cesses—*contd.*

Time and mode of payment of cess	Ben.Act9,1880,ss.41,42(s.41am.Ben.Act4,1910,s.9).
Recovery of cess from tenures in Government estates	Ben.Act9,1880,s.40A
Arrears of cess when recoverable ; interest allowed	,, ss.45,47to49.(s.49am.Ben.Act4,1910,s.12).
Recovery of money due to Collector under Public Demands Recovery Act out of rent	,, ss.98,99,Sch.F.
Effect on liability to cess of the opening of a separate account under Act 11, 1859, or Ben. Act 7, 1876 ; opening of separate account in respect of cesses	,, s.44(am.Ben.Act4,1910,s.10).
Power of Collector to keep separate accounts of cesses payable by registered holders of revenue-free lands ; power to close separate account	,, s.46(am.Ben.Act4,1910,s.11).
Special provisions as to valuation, assessment, payment and recovery in case of—	
lands held rent-free	,, ss.50to71(s.52A ins.ss.54,57am.Ben.Act4,1910,ss,5,13,14)Sch.A.Sch.D.
mines, quarries, tramways, railways and certain other immoveable property ; penalty for omitting to make a return	,, ss.72to84,Sch.E.(s.72Ains.,Ben.Act4,1910,s.15).
small revenue-free estates in Orissa and Midnapur	,, ss.85to90.
Appeal against valuation, levy of fine, and certain other orders of Collector	,, ss.102to104.(am.Ben.Act4,1910,ss.18,19).
Revision of valuations by Commissioner and Board of Revenue	,, s.93.
Revision of orders by Collector ; all proceedings of officers to be subject to supervision of Commissioner and Board of Revenue	,, s.105(sub.Ben.Act4,1910,s.20).
Establishments	,, s.91.
Power to pay commission to tahsildars	,, s.91A(ins.Ben.Act4,1910,s.16).
Service of notices and processes	,, ss.96,97.
Delegation of Collector's powers	,, ss.100,101.
Power of Board of Revenue to make rules	,, s.106.
Rights in respect of immoveable property not affected except as expressly provided	,, s.107.

4. District Road Fund, and Committees for Administration thereof.

(1) District Road Fund :	
Constitution of	Ben.Act4,1910,ss.9,10,108.
To be lodged with Collector	Ben.Act9,1880,s.170.
Application of	,, ss.109,110,111(s.109am.Ben.Act3,1885,s.2,Sch.II,andBenAct5,1908,s.64).

LOCAL RATES AND CESSES—*contd.*

B.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL (ROAD CESS AND PUBLIC WORKS CESS)—*contd.*

4. District Board Fund, and Committees for Administration thereof—*contd.*

(1) District Road Fund—*contd.* :

Assignment from, to Branch Committee	Ben.Act9,1880,s.164	
Accounts of	,,	ss.170, 172to 179
Payments from, how to be made	,,	s.171

(2) District Road Committee :

Constitution of ; term of office and removal of members	,,	ss.112to 117(ss.112,113am. Ben.Act4,1910,s.21), 161.
Collector to be Chairman of	,,	s.118
Appointment, term of office and removal of Vice-Chairman of	,,	ss.129,130
Appointment, term of office, salary and removal of District Engineer	,,	ss.131,132
Appointment and salaries of other officers and servants	,,	ss.133,135to 137
Leave of absence, absentee allowances, pensions and gratuities for officers and servants	,,	ss.134,135,138
Transaction of business by	,,	ss.119to128
To furnish information to Commissioner and Local Government when required	,,	s.128
Contract ; execution of, for Committee	,,	s.139
Penalty on member, officer or servant of Committee being pecuniarily interested in contract or work made with or executed for Committee	,,	s.140
To prepare statement of roads and other means of communication to be brought under Act ; revision of statement by Local Government	,,	ss.141to144
Preparation, revision and sanctioning of estimates of receipts and expenditure of	,,	ss.145to153, 157
To determine rate for levy of road-cess, subject to revision by Local Government	,,	ss.148,153
Publication of rate as finally fixed	,,	ss.154to156
Not to begin execution of work till estimates passed, etc.	,,	s.147
Annual report to be submitted by	,,	s.178
Power of, to make bye-laws as to roads and other communications	,,	s.180

See also below, (3).

(3) Branch Committee :

Power to appoint, in addition to Road Committee, and define local area of its authority	,,	s.158
Appointment and removal of Chairman and Vice-Chairman of	,,	ss.158,160
Application of ss. 112 to 117, 119, 122 to 127, 139, 140 to	,,	s.159
Selection by, of member to be additional member of District Road Committee	,,	s.161
Subordination of, to District Road Committee	,,	s.162

Rep.locally,Ben.Act3,1885, s.2, Sch. I.

LOCAL RATES AND CESSES—*contd.*

B.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL (ROAD CESS AND PUBLIC WORKS CESS)—*contd.*

4. District Board Fund, and Committees for Administration thereof—*contd.*

(3) Branch Committee—*contd.* :

Submission of statements, etc., by . . . . . Act.9,1880,ss.162, 163.

Power to invest, with powers of District Road Committee; application of ss. 135, 139, 141 to 143, 146, 150 to 153 and 157 to Branch Committee so invested. . . . . Act9,1880,ss.165to 168.

Power to revoke order constituting Branch Committee or vesting it with powers Act,9,1880,s.169

Annual report to be submitted by . . . . . ,, s.178

Rep.locally,Ben.Act3, 1885,s.2,Sch.1.

(4) Transfer to District Board of roads, etc., held by District Road Committee or Branch Committee under Cess Act, 1880 . Ben.Act3,1885,s.73(rep. pt.Ben.Act5,1908,s.2).

5. Miscellaneous.

Power of Local Government—

to give directions as to establishments and expenses in offices of control . . . . . Ben.Act9, 1880,s.181.

to make rules for working of Act . . . . . ,, s.182.

Rep.locally Ben.Act3, 1885,s.2, Sch. 1.

Ben. Act 9, 1880, ss. 110 to 181, s. 182, cls. (*a*), (*b*), (*c*), (*e*), (*g*), (*h*) rep. in Eastern Bengal and the greater part of Bengal . Ben.Act3,1885,s.2,Sch.

C.—BOMBAY PRESIDENCY.

Cess and Shop or Office Tax :

Bom. Act 3, 1869, does not extend to Sindh or City of Bombay Bom.Act3,1869,s.15.

Power to levy cess on lands ; maximum rate . . . . ,, s.6.

Provisions as to assessment and levy of cess . . . . ,, ss.7,8.

Recovery of cess by landholders from their tenants . . ,, s.8.

Net proceeds of cess to be credited to Local Fund constituted by Bombay Local Boards Act . . . . . Bom.Act1,1884,s.44(*b*).

Sindh :

Power to levy cess on lands, in same way as land-revenue . Bom.Act8,1865,ss.1,3.

Maximum rate of cess . . . . . ,, ss.1to3.

Power to levy shop or office tax in same way as land-revenue; maximum rate . . . . . ,, s.4.

Cess and tax by whom to be levied and collected . . . ,, s.5.

Net proceeds of cess and tax to be credited to Local Fund constituted by Bombay Local Boards Act . . . Bom.Act1,1884,s.44(*a*).

Village-officers' cess. *See* VILLAGE, B, 1 (*e*).

COORG.

See LAND-REVENUE, XII, 3.

D.—LOWER BURMA (CESSES AND HOUSE-TAX.)

Imposition of . . . . . Act2,1880,ss.4to6,8.

Withdrawal of ; exemptions from . . . . . ,, ss.7,8.

Payment and recovery of . . . . . ,, ss.10,11.

Application of . . . . . ,, s.9.

Powers and duties of, and control over, Revenue-officers . ,, ss.22,23.

Power of Local Government to make rules as to . . ,, s.24.

LOCAL RATES AND CESSES—*contd.*

E.—CENTRAL PROVINCES (LOCAL RATE).

See LOCAL SELF-GOVERNMENT, V, 5.

MADRAS PRESIDENCY (VILLAGE CESSES).

Village-officers' Cess. } *See* VILLAGE, F, 1 (*a*).
Village-service Cess. }

F.—PROVINCE OF AGRA (LOCAL RATE).

Definitions . . . . . U.P.Act2,1906,s.2.
Every estate liable to rate in addition to land-revenue, road cesses, etc.; certain estates liable to further rate; maximum amounts imposable; rates to be paid by landlord . . . } „ ss.3(*1*),4.
Local Government to make rules for ascertaining area of land assessable in certain cases . . . . . } „ s.21(*2*).
Power of Local Government to make orders and rules as to assessment and collection of rates and exemptions from Act or rate . . . . . } „ s.21.
Recovery of rates . . . . . „ s.11.
Recovery by landlord from tenants and co-sharers, of whole or portion of rates paid by him . . . . . } „ ss.12,15,16.
Compensation for illegal exaction of rates . . . . . „ s.17.
Balance of proceeds of rates to be carried to credit of District Fund . . . . . } „ ss.6,7.
Appropriation from proceeds of rates of necessary amount for maintaining village and road police. . . . . } „ ss.5,7(*1*)(*b*).
Suits under Act by what Court cognizable; appeals . . . „ ss.18,19.
Bar of jurisdiction of Civil Courts as to assessments . . . „ s.20.
See also BENARES.

G.—OUDH (LOCAL RATES).

Definitions . . . . . „ s.2.
Every estate liable to rate in addition to land-revenue, road cesses, etc.; maximum amount imposable; rates to be paid by landholder . . . . . } „ ss.3(*2*),4.
Power of Local Government to make rules as to assessment and collection of rate, exemptions from Act or rate . . . } „ s.21(*1*).
Recovery of rates . . . . . „ s.11.
Power of landholder to recover from co-sharers, under-proprietors and others . . . . . } „ ss.13,15,16.
Compensation for illegal exaction of rates . . . . „ s.17.
Proceeds of rate to be credited to District Fund . . . „ ss.6,7.
Suits under Act by what Courts cognizable; appeals . . . „ ss.18,19
Bar to jurisdiction of Civil Courts as to assessments . . . „ s.20.
Rate for maintenance of rural police. *See* OUDH, 5.

H.—PUNJAB (LOCAL RATE).

See LOCAL SELF-GOVERNMENT, VIII, 5.

LOCAL SELF-GOVERNMENT ACT (BENGAL) OF 1885 . . Ben.Act3,1885.
„ „ „ (CENTRAL PROVINCES), 1883 . . . . } Act1,1883.

LOCAL SELF-GOVERNMENT.

1878. Act 17, s. 7A (Ferries).
1879. Act 11, s. 8 (Local Authorities Loan).
1883. Act 1 (Local Self-government, Central Provinces).
„ Act 20 (District Boards, Punjab).
1884. Ben. Act 3, ss. 37A, 66A (Municipalities, Bengal).
„ Bom. Act 1, (Local Boards, Bombay).
„ Mad. Act 5 (Local Boards, Madras).
1885. Ben. Act 1, s. 35 (Ferries).
„ Ben. Act 3 (Local Self-government, Bengal).
1886. Reg. 5, s. 26 (Municipalities, Ajmere).
1886. Reg. 6 (Rural Boards, Ajmere).
1890. Mad. Act 2, s. 11 (Canals and Ferries).
1891. Act 20, ss. 27, 183 (Municipalities, Punjab).
1900. U. P. Act 1, s. 38 (Municipalities).
„ Reg. 6 (District Boards, Coorg).
1901. Bom. Act 3, ss. 39, 52 (Municipalities, Bombay Districts).
1902. Act 11, ss. 11, 12 (Village Sanitation, C. P.).
1903. Punj. Act 1, s. 5 (Transport Animals).
„ Act 16, s. 23 (Municipalities, C. P.).
1906. U. P. Act 3 (District Boards).
1907. Reg. 2, s. 23 (Municipalities, Coorg).

I.—GENERALLY
ASSAM
II.—AJMERE
III.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL
IV.—BOMBAY PRESIDENCY
V.—CENTRAL PROVINCES
VI.—COORG
VII.—MADRAS PRESIDENCY
VIII.—PUNJAB AND NORTH-WEST FRONTIER PROVINCE
IX.—UNITED PROVINCES

1. Preliminary.
2. Constitution of Administrative Areas and Local Authorities.
3. Duties and Powers of Local Authorities.
4. Conduct of Business.
5. Finance and Property.
6. General Powers of official Control.
7. Miscellaneous.

I.—GENERALLY.

Local Authorities Loan Act, 1879, not to affect borrowing powers of any Local Authority, or its power to guarantee payment of interest . . . . . Act 11, 1879, s. 8.

Constitution and functions of panchayat under laws relating to—
Chaukidars. *See* POLICE, II, A, 2, 3; B, 2, 3.
Rural Police. *See* POLICE, III, A.

See also LOCAL AUTHORITY.

ASSAM.

Committees for application of local rates. *See* LOCAL RATES AND CESSES, A.

Constitution and functions of panchayat under laws relating to—
Chaukidars. *See* POLICE.
Rural Police. *See* POLICE.

II.—AJMERE.

Preliminary.

Definition . . . . . Reg. 6, 1886, s. 2(2).

2. Constitution of Administrative Areas and Local Authorities.

Formation of district or districts and sub-districts . . . „ s. 3.
Establishment of District Board or Boards and Local Boards . „ s. 4.
Constitution of Boards . . . . . „ ss. 5, 22(a).
Term of office of members of Boards; resignation and removal of members; filling of casual vacancies . . . „ ss. 6 to 9, 22(b).

LOCAL SELF-GOVERNMENT—*contd.*

II.—AJMERE—*contd.*

2. Constitution of Administrative Areas and Local Authorities—*contd.*

Time for Boards coming into existence . . . . . Reg.6,1886,s.11.
Chairmen and Vice-Chairmen . . . . . „ s.22(c).
Relation of Local Boards to District Board . . . . „ s.4.
Incorporation of District Board . . . . . „ s.10.

3. Duties and Powers of Local Authorities.

Matters to be administered by Boards (roads and other means of communication, schools, hospitals, dispensaries, markets, rest-houses, sarais, water-supply, trees, famine-relief, pounds, encamping-grounds, shows, exhibitions, etc.) . . . . „ ss.4,12.
District Board—
not to abolish any school, dispensary or other institution without reference to the Department concerned, and to observe approved principles of administration . . . „ s.13.
Power of Boards to make rules . . . . . „ s.23.

4. Conduct of business.

Officers and servants . . . . . „ ss.14to16,s.22(c).
Joint Committees . . . . . Reg.5,1886,s.26.
Power to make rules as to meetings, proceedings, etc. . . Reg.6,1886,ss.22(c),23.

5. Finance and Property.

District Fund; constitution, custody and application of . . „ ss.17,22(j).
„ „ estimates and accounts . . . . . „ s.22(f)to(h).
Taxation:
Local rate imposed; existing rate for maintenance of roads, schools and district post deemed to be the "local rate"; assessment, payment and recovery of local rate . . . „ s.2.
Property; power to acquire, hold and transfer . . . . „ ss.10,22(c).
„ maintenance of . . . . . „ s.12(i).

6. General Powers of Official Control.

Powers of Commissioner and Chief Commissioner as to execution of work and suspension of action . . . . „ ss.18,19.
„ Chief Commissioner to supersede District Board for incompetency, default or abuse of powers; consequences of supersession . . . . . „ s.20.
„ Chief Commissioner to frame forms and make rules . „ s.22.

7. Miscellaneous.

Liability of member of Board for loss, waste or misapplication of money or property . . . . . „ s.21.
Publication of rules . . . . . „ s.22(c),(3).

LOCAL SELF-GOVERNMENT—*contd.*

III.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL.

1. Preliminary.

Act extends to Bengal and Eastern Bengal except Calcutta and municipalities . . . . . Ben.Act3,1885,s.1(rep.pt. Ben.Act5,1908,s.2).
Sanction required to application of Act to cantonment . . ,, s.4.
Repeal and savings, and amendment of Ben. Act 9, 1880 (Cesses) ,, ss.2,3,Schs.I,II ,, (Sch.IIam.,Ben. Act5,1908,s.64).
Definitions . . . . . ,, s.5(am.Ben.Act5, 1908,s.3).

12. Constitution of Administrative Areas and Local Authorities.

Establishment of District Boards and Local Boards . . . Ben.Act3,1885,s.6,Sch.III (s.6rep.pt.inBen., BenAct5,1908,s.2).
Constitution of District Boards and Local Boards . . . ,, ss.7to15,138(*a*) (am.inBen.,Ben.Act5, 1908,ss.4,5,6,60),Sch.III.
Term of office of members of Boards; resignation and removal of members; filling of casual vacancies . . . . . ,, ss.16to19A,138(*a*). [s.16rep.ss.17,18,19,138(*a*) am.ss.18A,19Ains.inBen., Ben.Act5,1908,ss.2,7to10, 60].
Incorporation of District Board . . . . . Ben.Act3,1885,s.20.
Time for Boards coming into existence . . . . . ,, s.21.
Chairman and Vice-Chairman of Board . . . . . ,, ss.22to29A,32(*e*), 138(*c*)(s.22am.,s.23A ins), s.24rep.ss.25,26am.,s.26A ins.,ss.27,29am.s.29A ins., [s.32am.inBen.,Ben.Act5, 1908,ss.11to17,2).
Union Committee:
Provisions as to, not to apply anywhere unless expressly extended by notification . . . . . Ben.Act3,1885,s.37.
Constitution of Unions . . . . . ,, s.38.
,, ,, Committees . . . . . ,, ss.38to41, 138(*a*).
Term of office of members; filling of casual vacancies . . ,, ss.42,43.
Joint Union Committees . . . . . ,,s.44(am.inBen.,Ben. Act5,1908,s.23).
Chairman . . . . . ,, s.41A(ins.inBen., Ben.Act5,1908,s.22).
Settlement of dispute between different Union Committees . ,, s.133(am.inBen.,Ben. Act5,1908,s.59).
Relation of Local Board to District Board . . . ,, ss.101to103,130, 133,135,138(*t*)(s.103rep.in pt.,ss.130,133am.s.134rep. Ben.,Ben.Act5,1906,ss.2, 56,59).

LOCAL SELF-GOVERNMENT—*contd.*

III.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL—*contd.*

2. Constitution of Administrative Areas and Local Authorities—*contd.*

Relation of Union Committee to Local Board . . . . . Ben.Act3,1885,ss.103,104, 119,130,133,134,138(*t*)(s. 103,rep.pt.,ss.104,119,130, 133,am.,s.134rep.inBen., Ben.Act5,1908,ss.2,49,55,56, 59).

Committees for application of Road cess and Public Works cess. *See* LOCAL RATES AND CESSES, B, 4.

Drainage Commissioners; appointment and powers of. *See* DRAINAGE, I, B, C.

3. Duties and Powers of Local Authorities.

General duties and powers of District Boards:

All Boards, unless the Local Government otherwise directs (pounds, education, medical relief, public works in Bengal and Eastern Bengal; also students' hostels, tolls and sanitation in Bengal) . . . . . Ben.Act3,1885,ss.59,61to 91,138(*j*)to(*n*)(ss.59,61,63 am.,s.64A ins.,s.65am.,ss. 65A,65B ins.,67am., 72rep.,s.73am.,s.78A,ins., ss.82,86am.,ss.86Ato86M, 88A,ins.,s.91am.,s.138,cls. (*j1*),(*j2*),(*j3*),(*M1*),(*M2*) ins.,cls.(*k*)(*n*)am.inBen., Ben.Act5,1908,ss.31,33to 45,2,60).

Power to contribute towards cost of municipal water-supply in Bengal . . . . . Ben.Act3,1885,s.88A ins., inBen.,Ben.Act5,1908,s. 44.

Boards notified by Local Government (sanitation in Eastern Bengal; also vaccination, taking of census, famine-relief, staging bungalows, sarais, destruction of noxious animals, fairs, exhibitions, etc., in Bengal and Eastern Bengal; also relief of distress, veterinary matters and agriculture in Bengal) . . . . . Ben.Act3,1885,ss.60,87to 100,138(*n*)to(*p*)(ss.60,99, 100am.,s.99A ins.,s.138, cl.(*s*.1)ins.,cl.(*p*)am., in. Ben.,Ben.Act5,1908,ss.32, 46,47,48,60).

Irrigation works for relief of famine or scarcity in Bengal . . Ben.Act3,1885,ss.99A,138 (*s*1)ins.inBen.,Ben.Act5, 1908,ss.47,60).

Transfer of public ferry to District Board . . . . . Ben.Act1,1885,s.35.

Powers, etc., of District Board under Bengal Sanitary Drainage Act, 1895. *See* DRAINAGE, I, C.

General duties and powers of Local Boards . . . . . Ben.Act3,1885,ss.101to 107,110,117,130(s.103rep. pt.,ss.104to107,110,117, 130am.,inBen.,Ben.Act5, 1908,ss.2,49,50,52,55,56).

Authority for specially empowered Boards to make bye-laws; penalties and prosecutions for breach of such bye-laws . . Ben.Act3,1885,ss.139to 141(s.139am.inBen.,Ben. Act5,1908,s.61).

Duties and powers of Union Committees (village roads, bridges, pounds, primary schools, dispensaries, registration of births and deaths, sanitation, drainage, water-supply in Bengal and Eastern Bengal; also conservancy, cleansing of villages and control over building in Bengal . . . . . Ben.Act3,1885,ss.104to 119,138(*q*1)(ss.104to111, 114,115am.,ss.118Ato118 D ins.,s.119am.,s.138cl.(*q*1) ins.inBen.,Ben.Act5, 1908,ss.49to55,60).

LOCAL SELF-GOVERNMENT—*contd.*

III.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL—*contd.*

3. Duties and Powers of Local Authorities—*contd.*

Sanitation, Conservancy, and Drainage :

Bengal :

Duties of Union Committee	Ben. Act 3, 1885, s. 115 (am. in Ben., Ben. Act 5, 1908, s. 55).
Power of Union Committee	,, s. 116 (am. in Ben., Ben. Act 5, 1908, s. 55).
Cleansing of villages : powers of Union Committee ; recovery of cost	,, s. 117 (am. in Ben., Ben. Act 5, 1908, s. 55).
Building : power of Union Committee to control ; penalties	,, s. 118 (am. in Ben., Ben. Act 5, 1908, s. 55).
Water-supply ; powers of Union Committee as to	,, s. 118A (ins. in Ben., Ben. Act 5, 1908, ss. 55, 60).
Power of entry by Union Committee	,, s. 118B (ins. in Ben., Ben. Act 5, 1908, ss. 55, 60).
Cost of operations how to be met	,, s. 118C (ins. in Ben., Ben. Act 5, 1908, ss. 55, 60).
Appeals against orders, awards and assessments	,, s. 118D, (ins. in Ben., Ben. Act 5, 1908, ss. 55, 60).
Power to make rules	,, s. 138(*g*1) ins. in Ben., Ben. Act 5, 1908, ss. 55, 60.

Eastern Bengal—

Union Committee to provide for sanitation	,, s. 115.
,, ,, to control drains and conservancy-works	,, s. 116.
Delegation to Union Committee of Local Board's power as to sanitation, drainage or water-supply	,, s. 117.
Power of Union Committee to cleanse or repair tanks, drains, etc., and recover cost and retain control	,, ss. 118, 119.
Power of Local Board or District Board to suspend action of, or execute work which ought to be done by, Union Committee or Local Board, respectively	,, ss. 124, 126, 130 (s. 130 am. in Ben., Ben. Act 5, 1908, s. 56).

4. Conduct of Business.

Joint Committees	Ben. Act 3, 1884, s. 37A, Ben. Act 3, 1885, s. 30.
Meetings, transaction of business and record of proceedings	Ben. Act 3, 1885, ss. 31, 32, 46, 138(*b*), (*e*), (*f*), (*h*) [ss. 32, 138 (*f*) am. in Ben., Ben. Act 5, 1908, ss. 17, 60].
Officers and servants (appointment, duties, leave, pensions, etc.)	Ben. Act 3, 1885, ss. 32(*g*), 33 to 36, 84, 85, 91 to 93, 99, 138 (*g*), (*h*1), (*l*) [ss. 32, 33 am., s. 34 rep., s. 35 am., s. 35A ins., ss. 36, 91, 99 am., s. 138(*h*1) ins. in Ben., Ben. Act 5, 1908, ss. 17 to 21, 2, 45, 46, 60].
,, ,, Provident fund for	Ben. Act 3, 1885, s. 35A (ins. Ben., Ben. Act 5, 1908, s. 20).
Education Committee	Ben. Act 3, 1885, ss. 65B, 138 (*j*3) (ins. in Ben., Ben. Act 5, 1908, ss. 37, 60),

LOCAL SELF-GOVERNMENT—*contd.*

III.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL—*contd.*

4. Conduct of Business—*contd.*

Sanitary Inspector in Eastern Bengal and Sanitation Committee and Sanitary Inspector in Bengal	Ben.Act3,1885,ss.91,138 (*n*)(am.inBen.,Ben.Act5, 1908,ss.45,60).

5. Finance and Property.

Power to transfer to Local Authority—	
funds vested in other local bodies	Ben. Act3, 1885, s.45.
,, for primary schools in Eastern Bengal or for schools and students' hostels in Bengal	,, s.65(am.Ben.,Ben. Act5,1908,s.36).
District Board to fix rate of road-cess annually	,, s.46.
District Fund; constitution and custody of	,, s.52(am.Ben.,Ben. Act5,1908,s.26).
,, ,, application of	,, s.53(am.Ben.,Ben. Act5,1908,s.27).
,, ,, balance of District Board Fund, left after payment of expenses mentioned in s. 109 of the Cess Act, 1880—	
to be credited to District Fund	Ben.Act3,1885,s.52(1).
to be so credited under a separate head (in Bengal)	,, s.52,para.2(ins.Ben. Act5,1908,s.26).
,, ,, application of, to other objects, to be subject to rules made by Local Government (in Bengal)	,, ss.53,prov.(3),138 (*h*2)(ins.Ben.Act5,1908, ss.27,60).
,, ,, temporary or accidental deviations from provisions relating to crediting or application of	Ben.Act3,1885,s.53A(ins. Ben.,Ben.Act5,1908,s.28).
,, ,, estimates and accounts of District Board	Ben.Act3,1885,ss.47to49, 54,138(*h*),(*i*),(*r*),(s.48am. Ben.,Ben.Act5,1908,s.24).
,, ,, ,, ,, of Local Board	Ben.Act3,1885,ss.50,138(*r*).
,, ,, power of District Board to raise loans	,, s.50(am.Ben., Ben.Act5,1908,s.25).
Union Fund; constitution and custody of	,, s.56(am.Ben.,Ben. Act5,1908,s.29).
,, ,, application of	,, s.57.
,, ,, accounts	,, ss.58,105,138(*r*) (ss.58,105,am.Ben.,Ben. Act5,1908,ss.30,49,50).
,, ,, estimates	Ben.Act3,1885,s.105(am. Ben.,Ben.Act5,1908,s.50).
Finance Committee; appointment and duties of	Ben.Act3,1885,ss.55,138 (*a*),(*e*).
Tolls on bridges (in Bengal only):	
power to establish toll-bars and to levy tolls	,,ss.86A,86C(ins.inBen., Ben.Act5,1908,s.43).
,, lease toll-bars	,,ss,86B,86C(ins.inBen., Ben.Act5,1908,s.43).
exemptions from tolls	,,s.86D(ins.inBen.,Ben. Act5,1908,s.43).
rates of tolls	,,s.86E(ins.inBen.,Ben. Act5,1908,s.43).

LOCAL SELF-GOVERNMENT—*contd.*

III.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL—*contd.*

5. Finance and Property—*contd.*

Tolls on bridges (in Bengal only)—*contd.*

exhibition of table of toll . . . . . Ben.Act3,1885,s.86F(ins. Ben.Act5,1908,s.43).

compounding for tolls . . . . . ,, s.86G(ins.inBen.,Ben. Act5,1908,s.43).

recovery of tolls; penalties; assistance by police . . . ,, ss.86Hto86L(ins.in Ben.,Ben.Act5,1908,s.43).

publication of accounts, and removal of toll-bars . . . ,, s.86M(ins.inBen.,Ben. Act5,1908,s.60).

power to make rules as to . . . . . ,, s.138,cls.(*m*1),(*m*2) (ins.inBen.,Ben.Act5,1908, s.60).

Property; general power of District Board to acquire, hold and transfer . . . . . ,, ss.20,138(*d*).

,, transfer to District Board of roads, etc., held by District Road Committee or Branch Committee under Cess Act, 1880 . . . . . Ben.Act3,1884,s.73.

,, power of Local Government to place property under control and administration of District Board . ,, s.74.

,, works constructed by District Board to vest in it . ,, s.75.

,, power of District Board to acquire road, etc. . . ,, s.76.

,, public streams, channels, etc., placed under control and administration of District Board . . . ,, s.89.

,, village-roads, drains, conservancy-works and certain sources of public water-supply placed under control and administration of Union Committee—

in Eastern Bengal . . . . . ,, ss.108,116, 119.

in Bengal . . . . . ,, ss.108,115 (*3*),118A(*3*),(am.Ben.,Ben. Act5,1908,ss.51,55).

6. General Powers of official Control.

Powers of Magistrate and Commissioner as to expenditure of Boards . . . . . Ben.Act3,1885,ss.47,48 (s.48am.Ben.,Ben.Act5, 1908,s.24).

Local Government, Commissioners and District Magistrates to see that proceedings of Local Authorities are in conformity with law . . . . . ,, s.120.

Powers of District Magistrate, Commissioner and Local Government as to supervision, suspension of action and execution of work . . . . . ,, ss.121,122, 124to130 (s.130am.Ben.,Ben.Act5, 1908,s.56).

Appointment, powers and duties of Inspector of local works . Ben.Act3,1885,ss.123,138 (*l*).

Power of Local Government to supersede Board (in Bengal or Eastern Bengal) or Union Committee (in Bengal) for incompetency, default or abuse of powers; consequences of supersession . . . . . ,, ss.131,132 (am.in.Ben.,Ben. Act5,1908,ss.57,58).

Power of Local Government to make rules . . . . ,, s.138(am.inBen., Ben.Act5,1908,s.60).

Settlement of disputes between Local Authorities . . . Ben.Act3,1884,s.66A, Ben.Act3,1885,ss.136,137.

LOCAL SELF-GOVERNMENT—*contd.*

III.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL—*concld.*

7. Miscellaneous.

Liability of members of Boards or Union Committees for loss, waste or misapplication of money or property . . . — Ben.Act3,1885,s.142(am.in Ben.,Ben.Act5,1908,s.62).

Penalty on member, officer or servant of Local Authority being unlawfully interested in work done for, or contract made with, that Authority . . . . . — ,, s.144(am.in Ben.,Ben.Act5,1908,s.63).

Power of Local Authority to pay compensation . . . — ,, s.145.

Suit against member of Local Authority, etc.: notice of suit; limitation; tender of amends . . . . . — ,, s.146.

Publication of rules and bye-laws . . . . . — ,, s.143.

IV.—BOMBAY PRESIDENCY.

1. Preliminary.

Act does not apply to City of Bombay or to Aden . . . — Bom.Act1,1884,s.1.

Definitions . . . . . — ,, s.3.

2. Constitution of Administrative Areas and Local Authorities.

Establishment of District Local Boards for each district and Taluqa Local Boards for each taluqa established under the Bombay Land-revenue Code, 1879, or for such other areas as the Local Government may determine . . . . . — Bom.Act1,1884,ss.4to7,69(*a*).

Establishment of Local Boards for exceptional areas . . — ,, s.8.

Election of members of Boards . . . . . — ,, ss.16to26, 69(*b*).

Qualifications and disqualifications of members of Boards . . — ,, ss.10,11,12,70.

Term of office of members; filling of casual vacancies . . — ,, ss.13,14,15.

Presidents and Vice-Presidents of Local Boards . . . — ,, ss.27to29.

Incorporation of Local Boards . . . . . — ,, s.9.

Relation of Taluqa Local Boards to District Local Board . . — ,, s.31.

Sanitary Committees and Boards, Bombay. *See* VILLAGE, B, 2.

3. Duties and Powers of Local Authorities.

Local Funds to be administered by Local Boards . . . — ,, s.4.

Obligatory duties of Local Boards (roads and other means of communication, medical relief, markets, dharmsalas, public buildings, water-supply, primary education, vaccination, sanitation, trees, etc.) . . . . . — ,, s.30.

Discretionary powers of Local Boards (model farms, horticulture, breeding of horses and cattle, preservation of fish, famine-relief, education, etc.) . . . . . — ,, s.31.

4. Conduct of Business.

Meetings, transaction of business and record of proceedings . — ,, ss.32(*a*),33, 34.

Execution of contracts . . . . . — ,, s.35.

Officers and servants . . . . . — ,, ss.38to40, 63,69(*c*).

LOCAL SELF-GOVERNMENT—*contd.*

IV.—BOMBAY PRESIDENCY—*contd.*

4. Conduct of Business—*contd.*

Joint Committees Bom.Act1,1884,s.36. Bom.Act3,1901,s.39

Power to prescribe conditions as to . . . . . Bom.Act1,1884,s.69(*c*).

Vacancies and irregularities not to invalidate proceedings . . „ s.32(*b*),(*c*).

5. Finance and Property.

Local Fund; constitution and custody of . . . . „ s.44.

„ „ portions of, which may be expended by Taluqa Local Board and District Local Board, respectively . „ s.45.

„ „ charges to be defrayed by District Board from . „ s.46.

„ „ assignments from, by District Local Board to municipalities and cantonments . . . . „ s.47.

„ „ expenditure for educational purposes to be met by District Local Board only; provisions for determining by which Boards' expenditure should be incurred for other purposes . . . . ss.48,49.

„ „ authority for payments from . . . . „ s.50.

„ „ accounts . . . . . „ ss.51,52,60.

„ „ estimates . . . . . „ ss.53to56,57 to59.

Contribution by Municipal Commissioners towards expenditure incurred in area subject to Local Board . . . . Bom.Act3,1901,s.52.

Property; power of Local Board to acquire, hold and transfer . Bom.Act1,1884,s.9.

„ transfer to Local Boards of property vested in superseded Local Fund Committees . . . . „ s.41.

„ vesting in Local Board of roads, etc., constructed by it „ s.42;1885,s.2.

„ acquisition of land for Local Board . . . . „ s.72.

6. General Powers of Offical Control.

Powers of Commissioner, Collector, other local officers and Local Government as to supervision, expenditure on establishments, suspension of action and execution of work . . . . „ ss.62to66.

Power of Local Government to supersede Board for incompetency, default or abuse of powers; consequences of supersession . „ s.67.

„ „ „ to frame forms and make rules . „ s.69.

General powers of Local Government, Commissioners and Collectors over subordinate officers . . . . . „ s.68.

7. Miscellaneous.

Assignment to District Local Board or Taluqa Local Board of liabilities existing at commencement of Act . . . . „ s.43.

Works by whom to be executed; powers of Government Executive Engineer in executing works, and charges for Government establishments employed by him . . . . . „ s.61.

Liability of member of Board for misapplication of funds . . „ s.37.

Penalty on member, officer or servant of Board being unlawfully interested in work done for, or contract made with, Board . „ s.70.

Members of Local Boards and officers and servants of District Local Boards deemed "public servants" . . . . „ s.71.

LOCAL SELF-GOVERNMENT—*contd.*

IV.—BOMBAY PRESIDENCY—*concld.*

7. Miscellaneous—*contd.*

Suit against Board, etc.: notice of; limitation; tender of amends	Bom.Act1,1884,s.74.
Certain functions of Local Government to be exercised by Commissioner in Sindh	,, s.73.

V.—CENTRAL PROVINCES AND SAMBALPUR DISTRICT (BENGAL).

1. Preliminary.

Definitions	Act1,1883,ss.2,24(9).

2. Constitution of Administrative Areas and Local Authorities.

Aggregation of villages in circles and groups	Act1,1883,s.3.
District Councils and Local Boards established	,, s.4.
Constitution of District Councils and Local Boards	Act1,1883,ss.5to7,34(*a*).
Time for District Councils and Local Boards coming into existence	,, s.40.
Incorporation of District Council	,, s.8.
Chairman of District Council or Local Board	,, s.19.
Relation of Local Boards to District Council	,, ss.10to14.
Power to declare Local Board independent	,, s.15.

3. Duties and Powers of Local Authorities.

Matters to be administered by District Council and Local Board (roads and other means of communication, schools, hospitals, dispensaries, markets, rest-houses, sarais, water-supply, trees, famine-relief, pounds, ferries, etc.)	,, ss.9,10.
Suspension of authority of District Council and Local Board in villages under the operation of the Central Provinces Village Sanitation Act, 1902	Act11,1902,s.12.

4. Conduct of Business.

School Committees	Act1,1883,ss.16,20,34(*b*), (*c*).
Joint Committees	Act1,1883,ss.17,18. Act16,1903,s.23.
Meetings and proceedings	Act1,1883,ss.20,34(*c*).
Officers and servants	,, s.21.

5. Finance and Property.

District Fund; constitution, custody and application of	,, ss.23,34(*f*).
,, ,, transfer to District Council or Local Board of moneys held by punchayets under the Central Provinces Village Sanitation Act, 1902, on withdrawal of that Act	Act11,1902,s.11.
,, ,, estimates and accounts	Act1,1883,ss.24to27,34(*e*).
Taxation: rates payable under settlement record: confirmation, payment, collection and recovery of; accounts of; power to exempt land from payment of	,, ss.41,42.

LOCAL SELF-GOVERNMENT—*contd.*

V.—CENTRAL PROVINCES AND THE SAMBALPUR DISTRICT (BENGAL)—*contd.*

5. Finance and Property—*contd.*

Property : power to vest in District Council . . . . Act1,1883,s.22.
„ „ of District Council to acquire, hold and transfer „ s.8.
„ acquisition of land for District Council . . . „ s.37.
Transfer of public ferry to District Council or Local Board . Act17,1878,s.7A.

6. General Powers of Official Control.

Powers of Deputy Commissioner, Commissioner and Local Government as to supervision, suspension of action and execution of work . . . . . Act1,1883,ss.28to31,33.
Power of Local Government to supersede District Council or Local Board for incompetency, default or abuse of powers . . . Act1,1883,s.32.
„ „ „ to make rules . . . . . „ ss.34,35.

7. Miscellaneous.

Power to except territory from operation of Act . . . „ s.36.
Penalty on member of District Council, etc., being interested in contract made with Council, etc. . . . . „ s.38.
Publication of rules and orders made by Local Government . „ ss.35,39.

VI.—COORG.

District Board and District Fund to be formed ; monies to be credited to Fund . . . . . Reg.6,1900,s.2.
Special rate on holders of land :
Power to impose, limit of . . . . . „ s.3.
Assessment on revenue-free land . . . . . „ s.4.
Recovery of . . . . . „ s.5.
Bar to suits as to . . . . . „ s.6.
Appeal to Chief Commissioner from orders of Commissioner . „ s.7.
Abolition of dhuli-tax, plough-tax and house-tax on agriculturists . . . . . „ s.8.
Power of Chief Commissioner to make rules . . . . „ s.9.
Joint Committees : appointment of, by Municipal Committee and District Board ; delegation of powers to, and framing of regulations for . . . . . Reg.2,1907,s.23.

VII.—MADRAS PRESIDENCY.

1. Preliminary.

Act does not apply to City of Madras, or to any municipality or scheduled district . . . . . Mad.Act5,1884,s.2.
Definitions . . . . . „ s.3.

2. Constitution of Administrative Areas and Local Authorities.

Power to constitute taluqs . . . . . „ s.5.
„ „ „ Unions . . . . . „ s.6.

LOCAL SELF-GOVERNMENT—*contd.*

VII.—MADRAS PRESIDENCY—*contd.*

2. Constitution of Administrative Areas and Local Authorities—*contd.*

Constitution of District Boards and Taluq Boards . . . Mad. Act 5, 1884, ss. 8 to 19, 141(*i*).

„ „ Panchayat for Union . . . . . „ ss. 119 to 122, 144(*i*,*a*),(*iv*).

Time coming into existence of—

Taluq Board . . . . . „ s. 5.

Panchayat of Union . . . . . „ s. 6.

President and Vice-President of Board . . . . . „ ss. 8, 9, 14, 15, 20, 21, 144(*i*).

Chairman of Panchayat . . . . . „ ss. 123, 144(*i*,*b*).

Entire executive power vested in—

President of Board; delegation of powers to Vice-President; President's power on emergency . . . . . „ ss. 33, 33A.

Chairman of Panchayat . . . . . „ ss. 132, 133.

Term of office, resignation, removal, filling of casual vacancies—

Member, President or Vice-President of Board . . . . „ ss. 22 to 25.

Member or Chairman of Panchayat . . . . . „ ss. 124 to 127A.

Remuneration of President, Vice-President or Chairman of Board or Panchayat: no other member to receive remuneration . . . . . „ s. 26.

Incorporation of Boards . . . . . „ s. 27.

Elections and appointments (other than *ex-officio*) to be notified . „ s. 27A.

Relation of Taluq Board to District Board . . . . . „ s. 144(*iii*).

„ Panchayat to Taluq Board . . . . . „ ss. 128, 144 (*iii*).

Power to dissolve Taluq Board . . . . . „ s. 5.

„ „ Panchayat . . . . . „ s. 6.

3. Duties and Powers of Local Authorities.

Matters to be administered by Boards (streets, bridges and other means of communication, trees, hospitals, dispensaries, lunatic asylums, choultries, markets, drains, water-supply, medical relief, vaccination, sanitation, education, famine-relief, etc.) . „ ss. 95, 144(*iii*), (*iv*).

Power of Local Government to transfer institutions and works to Board . . . . . „ s. 97.

Power of District Board to make bye-laws for regulation of markets, slaughter-houses, cartstands, burial and burning grounds, offensive trades, conservancy, use of and traffic on public roads, etc.: penalties for breach . . . . „ s. 152A.

District Board to provide for gratuitous vaccination . . . „ s. 102.

Duties of President of District Board as to vaccination . . „ s. 112.

Duties and powers of Taluq Board to be exercised by District Board in areas for which there is no Taluq Board . . . „ s. 167.

Matters to be administered by Panchayat (streets, drains, water-supply, etc.) . . . . . „ ss. 141, 144 (*iii*),(*iv*).

Power of Taluq Board to transfer institutions and works to Panchayat . . . . . „ s. 142.

LOCAL SELF-GOVERNMENT—*contd.*

VII.—MADRAS PRESIDENCY—*contd.*

3. Duties and Powers of Local Authorities—*contd.*

Powers of Taluq Board and Panchayat as to projections and obstructions on streets, etc., water-supply, unwholesome buildings and lands, scavenging, markets, slaughter-houses, cart-stands, prevention of infectious diseases, disposal of the dead, etc.	Mad. Act 5, 1884,	ss.98 to 101, 117 to 117Q, 143, 143A, 143B.
Power of Taluq Board to set aside resolution, order or proceeding of Panchayat	,,	s.135.
Power of Taluq Board to employ officers to superintend and inspect working of Unions; powers of such officers	,,	s.136.
Power of President of Taluq Board to provide for execution of work which ought to be done by Panchayat	,,	s.138.

4. Conduct of Business.

Meetings of Boards, transaction of business and record of proceedings	,,	ss.28 to 32, 34, 144.
Meetings of Panchayat, transaction of business and record of proceedings	,,	ss.129 to 131, 144 (*v*).
Servants of Board	,,	ss.41, 42, 44 to 46, 95(*vii*), 144(*vii*).
,, of Panchayat	,,	s.134.

5. Finance and Property.

District Fund: constitution, custody and application of; authority for payments from	,,	ss.54, 149.
Taluq Fund: constitution, custody and application of; authority for payments from	,,	s.56.
Transfer of monies from District Fund to Taluq Fund	,,	s.55.
Contribution by Board towards expenditure incurred by other Local Authorities	,,	s.118.
Funds at disposal of Panchayat; custody thereof; orders for payments therefrom	,,	s.140.
Accounts and estimates	,,	ss.144(*x*),(*xi*), 148, 150.
Taxation:		
Taxes which may be imposed—		
by District Board	,,	ss.57, 58, Schs.A, B.
by Taluq Board	,,	ss.57, 61.
Power for Local Government to direct imposition of taxes	,,	s.59.
Procedure for imposing taxes	,,	ss.60, 62.
Taxes, assessments, distraints, etc., not invalid for defect of form	,,	s.155.
Tax on annual rent-value of land:		
Assessment, payment and recovery of; appeal	,,	ss.64 to 76.
Tax on houses:		
Assessment, payment and recovery of; appeal	,,	ss.77 to 85, 94, Sch.C.
Remission of tax on unoccupied house	,,	s.80.
Remission or refund when house destroyed	,,	s.80A(*2*).

LOCAL SELF-GOVERNMENT—*contd.*

VII.—MADRAS PRESIDENCY—*contd.*

5. Finance and Property—*contd.*

Tolls on vehicles and animals passing along roads :

Levy, payment and recovery of ; police-officers to assist toll-collectors ; penalty for evading payment . . . . Mad.Act5,1884,ss.88to92, 94.

Power to compound for tolls . . . . . ,, s.87(2).

Fees for temporary erection of structures in public places, or for temporary use of cart-stands, markets, slaughter-houses, etc. :

Payment and recovery of . . . . . ,, ss.93,93A,94, 94A,155(4).

Exemptions from taxes :

Power for Local Government to exempt areas or persons . ,, s.63.

Houses used for public worship or as public choultries or as hospitals or dispensaries, and houses used exclusively for charitable purposes, exempted from house-tax . . ,, s.78(2).

Power of Taluq Board to exempt owner or occupier from house-tax on ground of poverty . . . . . ,, s.86.

Police-officers and persons and property in their custody, and licensed vehicles and animals, exempted from payment of tolls (*see also* TOLLS) . . . . . ,, s.87(3).

Property : general power of Board to acquire, hold and transfer . ,, s.27.

,, public streets, sewers, etc., vested in District Board . ,, ss.49,50.

,, power to transfer management of charitable endowments from Board of Revenue to District Board or Taluq Board . . . . . ,, s.51.

,, transfer of, from District Board to Taluq Board . ,, ss.52,144(*ii*).

,, power of Board to acquire road or street . . . ,, s.53.

,, acquisition of land for Board . . . . . ,, s.153.

,, what property to be under control and direction of Panchayat . . . . . ,, s.139.

Transfer of canal or public ferry to Local Board . . . Mad.Act2,1890,s.11.

6. General Powers of Official Control.

Powers of Collector, other officers and Local Government as to carrying out resolution of Board in default of President, and as to supervision over, suspension of action of, and execution of work which ought to be done by, Board . . . . Mad.Act5,1884,ss.35to40.

Power of Revenue-officer, etc., to provide for execution of work which ought to be done by Panchayat . . . . . ,, s.137.

Power of Local Government to frame forms and make rules ; publication of rules ; rules and forms to have force of law . ,, ss.144to147.

Annual reports to be submitted by Boards and Panchayats . Mad.Act5,1884,s.151.

Inspection of schools, hospitals, dispensaries, etc., by Government officers . . . . . ,, s.152(1).

Power of Local Government to appoint officers to inspect and superintend operations of Boards and Panchayats . . . ,, s.152(2).

Delegation of powers of Collector or Local Government . . ,, ss.159,160.

LOCAL SELF-GOVERNMENT—*contd.*

VII.—MADRAS PRESIDENCY—*concld.*

7. Miscellaneous.

Vaccination; provisions as to . . . . . Mad.Act5,1884,ss.102to116.
Prohibition of inoculation of small-pox . . . . . „ ss.3(*xviii*),116.
Members and servants of Board or Panchayat, and tax collectors, deemed "public servants" . . . . . „ s.43.
Suits against Board, etc.: notice of suit; limitation; tender of amends . . . . . „ s.156.
Liability of member of Board or Panchayat for loss, waste or misapplication of money or property of Board or Panchayat . „ s.157.
Penalty on member or servant of Board or Panchayat being interested in contract made with Board . . . . . „ s.158.
Penalty for illegal exactions . . . . . s.165.
Publication of notifications . . . . . „ s.161.
Service of notices . . . . . „ s.163.
Penalty for non-compliance with notice . . . . . „ s.162B.
„ „ unlawfully doing act without license or permission, or in contravention of terms thereof . . . „ s.162A.
„ „ breach of Act, order or notice . . . . . „ s.162C.
Damages, expenses, etc., recoverable under Act, determination of, proceedings before Magistrate . . . . . „ s.162D.
Precautions to be observed in entering zanana . . . . „ s.164.
Recovery of fines . . . . . „ ss.166,166A.
Vacancies and irregularities not to invalidate proceedings . . „ ss.155,162.

VII.—PUNJAB AND NORTH-WEST FRONTIER PROVINCE.

1. Preliminary.

Definitions . . . . . Act20,1883,s.3.
Powers exerciseable from time to time . . . . . „ s.4.

2. Constitution of Administrative Areas and Local Authorities.

Establishment of District Boards for districts and Local Boards for portions of districts . . . . . Act20,1883,s.10.
Constitution of Boards . . . . . „ ss.11,55(2).
Term of office of members; resignation and removal of members; filling of casual vacancies . . . . . „ ss.12to15.
Time for Boards coming into existence . . . . . „ s.17.
Incorporation of District Board . . . . . „ s.16.
Chairman and Vice-Chairman of District Board or Local Board „ ss.18,19, 26(*h*),55(*i*).
Relation of Local Board to District Board . . . . . „ ss.21to23. 55(*t*).

3. Duties and Powers of Local Authorities.

Matters to be administered by, or which the Local Government may direct to be administered by, District Board and Local Board (roads and other means of communication, hospitals, dispensaries, sarais, education, water-supply, trees, markets, rest-houses, encamping-grounds, embankments, reclamation of land, famine-relief, registration of births, marriages and deaths, fairs, shows, exhibitions, pounds, ferries, etc.) . . . . „ ss.20,21.

LOCAL SELF-GOVERNMENT—*contd.*

VIII.—PUNJAB AND NORTH-WEST FRONTIER PROVINCE—*contd.*

3. Duties and Powers of Local Authorities—*contd.*

Power of Board to make regulations; penalty and prosecutions for infringement of such regulations . . . . . Act20,1883,ss.56to58.

4. Conduct of Business.

Joint Committees . . . . . „ s.24. Act20,1891,s.27.

Meetings and proceedings; power to make rules as to business and affairs . . . . . Act20,1883,ss.25,26,55(*q*).

Officers and servants; establishment of Provident Fund . . „ ss.26(*g*),27to29, 55(*i*),(s.28am.[1]Punj.Act 1,1905,s.1).

5. Finance and Property.

District Fund; constitution, custody and investment of . . Act 20,1883,ss.35,36,55(*b*).

„ „ funds to be provided by Local Government when duties imposed on District Board . . . „ s.34.

„ „ application of . . . . . „ ss.37,55(*j*), (*k*),(sub.[1]Punj.Act1,1905, s.2).

„ „ payment from, in case of works or undertakings benefiting several districts . . . . „ s.38.

„ „ estimates and accounts . . . . . „ ss.39to43,55 (*l*)to(*o*),(*r*).

Taxation:

Local rate:

Imposition of; proportion of rate to annual value of land . „ s.5(am.[1] Punj.Act2,1906,s.2).

Road, school and post cesses to merge in . . . . „ s.6.

Landholder liable for, subject to certain exceptions . . „ s.7.

Recovery of share of, by landholder from occupancy-tenant „ s.8.

Appropriation of . . . . . „ s.9(sub.[1] Punj.Act2,1906,s.3).

Power of District Board to impose taxes approved by Local Government; procedure for imposing, and power to reduce or abolish, such taxes . . . . . „ ss.30to32,55 (*a*).

Power of District Board or Local Board to levy fees, with sanction of Local Government . . . . . „ s.73.

Assessment, payment, collection and recovery of rates and taxes; appeals; limitation of appeal . . . „ ss.70to73.

Power of Local Government to reduce, remit or exempt persons or property from rate or tax . . . . „ s.71.

Power of Local Government to direct measurements for assessment of rate or tax . . . . . „ s.75.

Suits as to rates or taxes by what Courts cognizable . . „ s.76.

Confirmation and recovery of existing rates . . . „ s.77.

Property: power of District Board to acquire, hold and transfer „ ss.16,55(*e*).

„ acquisition of land for District Board . . . „ s.61.

Transfer of public ferry to District or Local Board . . . Act17,1878,s.7A.

[1] Punjab Acts 1, 1905, and 2, 1906, have been extended (with modification) to the North-West Frontier Province by notification under Act 14, 1874.

LOCAL SELF-GOVERNMENT—*contd.*

VIII.—PUNJAB AND NORTH-WEST FRONTIER PROVINCE—*concld.*

6. General Powers of Official Control.

Powers of Commissioner, Deputy Commissioner, other local officers and Local Government as to supervision, suspension of action and execution of work . . . . . Act20,1883,ss.44to49.

Local Government, Commissioners and Deputy Commissioners to require that proceedings of Boards shall be in conformity with law . . . . . ,, ss.50,55(*h*).

Power of Local Government to supersede Board for incompetency, default or abuse of powers; consequences of supersession . . . . . ,, ss.51to53.

Power of Governor General in Council and Local Government to make rules . . . . . ,, s.55.

Settlement of disputes between Boards or between Board and Municipal Committee or Cantonment Authority . . . . ,, s.54, Act20,1891,s.183.

General powers of Local Government over Commissioners and Deputy Commissioners and of Commissioners over Deputy Commissioners . . . . . Act20,1883,s.64.

7. Miscellaneous.

Publication of rules and regulations in draft . . . . . ,, s.60.

Liability of member of Board for loss, waste or misapplication of money or property . . . . . ,, s.59.

Penalty on member, officer or servant of Board or Joint Committee being interested in contract made with Board or Committee . . . . . ,, s.62.

Saving of Local Authorities Loan Act, 1879 . . . . . ,, s.63.

Transfer to District Board of contracts made and Government officers employed by Committees under Local Rates Acts . ,, ss.65,66.

Power to except territory from operation of Act; appointment of Administrative Committee thereupon . . . . . ss.67,68.

Power to withdraw Act 20, 1856 (Chaukidars), from area over which District Board has authority . . . . . ,, s.69.

Duty of Members of District Board to assist Transport Registration Officer in making enumeration of animals . . . [1]Punj.Act1,1903,s.5.

LOCAL SELF-GOVERNMENT in municipal towns. *See* MUNICIPALITY.

IX.—UNITED PROVINCES.

1. Preliminary.

Definitions . . . . . U.P.Act3,1906,s.3.

2. Constitution of Administrative Areas and Local Authorities.

District Boards established . . . . . U.P.Act3,1906,s.4(*1*).

Constitution of Boards; election and appointment of members . ,, ss.4,5,8,56(*1*)(*c*)to(*h*),56(*2*),(*3*).

Term of office of members of Boards; resignation and removal of members; vacation of office on reduction of number; filling of casual vacancies . . . . . ,, ss.6to11,56(*1*)(*b*).

Incorporation of District Board . . . . . ,, s.12.

Chairman and Vice-Chairman of District Board . . . ,, ss.13to17.

[1] Punjab Act 1, 1903, has been extended to the North-West Frontier Province by notification under Act 14, 1874.

LOCAL SELF-GOVERNMENT—*contd.*

IX.—UNITED PROVINCES—*contd.*

3. Duties and Powers of Local Authorities.

Matters to be administered by District Board (roads and other means of communication, trees, schools, hospitals, dispensaries, poor-houses, asylums, veterinary hospitals, markets, staging-houses, inspection-houses, public parks and gardens, water-supply, embankments, drainage-works, light railways, famine-relief, pounds, ferries, encamping-grounds, sarais, puraos, shows, exhibitions, public or private charities or trusts placed under Board, public vaccination, village-sanitation, etc.)	U.P.Act3,1906,ss.42,56(*1*)(*a*).

4. Conduct of Business.

Meetings and proceedings ; returns, reports, etc.	,, ss.19to27, ,, 56(*1*)(*i*),(*j*),(*n*),(*q*),(*r*),(*w*),to33,47,(*c*)to(*e*).
Joint Committees	,, s.28. U.P.Act1,1900,s.38.
Officers and servants	,, ss.30to34. 56(*1*)(*s*)to(*v*).

5. Finance and Property.

District Fund ; constitution, custody, investment and application of	,, ss.43to46. 56(*1*)(*k*).
,, ,, estimates and accounts	,, ss.56(*1*)(*l*),(*o*),(*p*).
Contracts by Board	,, ss.35to37.
Power of District Board to acquire, hold and transfer property	,, ss.12,56(*1*)(*m*).
Acquisition of land for District Board	,, s.50.
Property vested in Board	,, s.47.
Endowments and funds of institutions placed under management of Board to be held in trust	,, s.48.
Power of Board to transfer property to His Majesty	,, s.50.
Effect of supersession of Board	,, s.55.
Transfer of public ferry to District Board	Act17,1878,s.7A(ins.Act14, 1883,s.64[1]).

6. General Powers of Official Control.

Powers of District Magistrate, Commissioner and Local Government as to supervision, suspension of action and execution of work	U.P.Act3,1906,ss.51to54.
Power of Local Government—	
to supersede District Board for incompetency, default or abuse of powers ; effect of supersession	,, s.55.
to frame forms and make rules	,, s.56.

7. Miscellaneous.

Notification of elections, nominations, appointments and vacancies	,, s.18.
Proceedings not invalidated by vacancies, defect or irregularity	,, s.29.
Suit against Board, member, servant, etc. ; notice of suit	,, s.39.

[1] Act 14, 1883, is rep. by U. P. Act 3, 1906, s. 2 ; *see* however s. 42 (*1*) (*i*) of the latter Act, where s. 7A of Act 17, 1878, is referred to.

LOCAL SELF-GOVERNMENT—*contd.*

IX.—UNITED PROVINCES—*concld.*

7. Miscellaneous—*contd.*

Certain officers and servants of Board to be deemed public servants . . . . . U.P.Act3,1906, s.41.

Liability of member of Board for loss, waste or misapplication of money or property . . . . . s.40.

Penalty on member, officer or servant of Board, etc., being interested in contract made with Board, etc. . . . . s.38.

Saving of Local Authorities Loan Act, 1879 . . . . . ,, s.2(3).

LODGING-HOUSE ACT (UNITED PROVINCES), 1892 (*See* MUNICIPALITY, XVII) . . . . . U.P.Act1,1892.

,, ,, (PURI), 1871 (*See* PILGRIM, B,I) Ben.Act4,1871.

LODGING-HOUSE.

Seamen's. *See* MERCHANT SHIPPING, 2 (*c*), (*h*).

In Puri, etc. *See* PILGRIM, B. I.

Regulation of, in municipalities :

See under MUNICIPALITY, (*sub-heading* "The public health, Safety and Convenience.")

See also PLACES OF PUBLIC RESORT, ETC.

LOTTERY.

Prosecution and punishment for keeping lottery office. *See* CRIMINAL LAW (INDIAN), 12.

LOW-WATER MARK DEFINED. *See* WORDS AND PHRASES.

LOWER BURMA COURTS ACT, 1900 (*See* BURMA ; CHIEF COURT OF LOWER BURMA ; CIVIL COURTS, VIII ; CIVIL PROCEDURE, 12 ; CRIMINAL PROCEDURE, 13 ; EUROPEAN BRITISH SUBJECT ; LEGAL PRACTITIONER, 1 ; MATRIMONIAL CAUSES ; PROCESS-FEES ; SEAL ; SMALL CAUSE COURTS, B) . . Act6,1900.

LOWER BURMA COURTS ACT (1900) AMENDMENT ACT, 1901 . . . . . Bur.Act4,1901.

LOWER BURMA COURTS ACT (1900) AMENDMENT ACT, 1907 . . . . . Bur.Act7,1907.

LOWER BURMA LAND AND REVENUE ACT AMENDMENT ACT, 1901 . . . . . Bur.Act1,1901.

LOWER BURMA LAND AND REVENUE ACT AMENDMENT ACT, 1907 . . . . . Bur.Act1,1907.

LOWER BURMA TOWN AND VILLAGE LANDS ACT, 1898 [*See* LAND (INDIAN LAW), E ; LAND-REVENUE, IX ; MINES AND MINERAL] . . . . . Bur.Act4,1898.

LUNACY (DISTRICT COURTS) ACT, 1858 (*See* COURT OF WARDS ; LUNATIC) . . . . . Act35,1858.

LUNACY (SUPREME COURTS) ACT, 1858 (*See* COURT OF WARDS ; LUNATIC ; PARTNERSHIP) . . . . . Act34,1858.

LUNATICS REMOVAL (INDIA) ACT, 1851 [1] (*See* LUNATIC, 5) . . . . . 14-5V.c.8.

[1] This short title was given by 59 & 60 Vict. c. 14.

LUNATIC.

1. Preliminary.

Acts 35 and 36, 1858, declared in force—

throughout British India, except as regards the Scheduled Districts	Act15,1874,s.3.
in the Santhál Parganas	Reg.3,1872,s.3,Sch.
in the Arakan Hill District (with a modification in Act 35)	Reg.9,1874,s.3.
in Upper Burma generally (except the Shan States)	Act13,1898,s.4,Sch.1.
in British Baluchistan	Reg.1,1890,s.3.
Act 36, 1858, declared in force in Angul District	Reg.1,1894,s.3.
Act 11, 1877 (Military Lunatics), extends to whole of British India and, as regards British subjects, to Native States in alliance with Her Majesty	Act11,1877,s.1.
,, ,, declared in force in—	
Upper Burma generally (except the Shan States)	Act13,1898,s.4,Sch.1.
British Baluchistan	Reg.1,1890,s.3.

Definition of "lunatic." *See* WORDS AND PHRASES.

2. Proceedings in Chartered High Courts.

Power of Court to direct enquiry into alleged lunacy and into affairs of alleged lunatic; procedure in such enquiry; powers of Judge or Provincial Court making such enquiry; costs of enquiry	Act34,1858,ss.1to11.
Committees of person and estate of lunatic; appointment and general powers and duties of	,, ss.12,13,19to23.
Court or Master of Court; general powers and duties of, as to estate of lunatic	,, ss.14to18,20to23,30,31.
Power of Court to order performance of contract made before lunacy	,, s.20.
,, ,, to dissolve partnership when partner becomes lunatic	,, s.21.
Assumption by Court of Wards of management of lunatic's land	,, s.24.
Transfer of stock belonging to lunatic	,, ss.25,26.
Power to apply lunatic's property for his maintenance without appointing committee	,, ss.27,28.
Enquiry, and setting aside of proceedings, when unsoundness of mind has ceased	,, s.29.

3. Proceedings in Provincial Courts.

Definition of "Civil Court"	Act35,1858,s.23.
Power of Civil Court to institute enquiry into alleged lunacy; procedure in such enquiry; costs; power to issue commission to subordinate Court to hold enquiry	,, ss.2to8.
Transfer of estate of lunatic to Court of Wards, or appointment of manager and guardian, or transfer of estate to Collector	,, ss.9to11.
Remuneration of manager and guardian	,, s.12.
General duties of guardian; allowance for maintenance of lunatic and his family	,, s.13.
General powers and duties of manager	,, ss.14to16.
Suit by relative against manager for an account	,, s.17.

LUNATIC—*contd.*

3. Proceedings in Provincial Courts—*contd.*

Power to fine manager . . . . . Act35,1858,s.19.
„ to remove manager or guardian . . . . . „ s.18.
Act 35, 1858, s. 11, repealed in Bengal and Eastern Bengal . Ben.Act9,1879,s.2.
„ „ ss. 12 to 19, declared not to apply to persons or properties under charge of Court of Wards . . . . . „ s.10.
Power of Court to apply lunatic's property for his maintenance without appointing manager . . . . . Act35,1858,s.20.
Enquiry, and restoration of estate, when unsoundness of mind has ceased . . . . . „ s.21.
Appeal from orders of Civil Court . . . . . „ s.22.

4. Asylums.

Power of Local Government to establish public and licensed private asylums . . . . . Act36,1858,s.1.
Power to make rules for management of asylums . . . „ s.2.
Asylums to be under authority of Local Boards, Madras. *See* LOCAL SELF-GOVERNMENT, VII, 3.
Appointment of, and inspection by, visitors . . . . . „ ss.2,3.
Sending to asylum of—
wandering or dangerous lunatics . . . . . „ ss.4,6,SchA.
certain other civil lunatics . . . . . „ ss.5,6.
military lunatics . . . . . Act11,1877,s.3(sub.) Act5,1909,s.2,Sch.)
Reception of lunatics in asylum . . . . . Act36,1858,ss.7,8,12. Schs.A,B.
Power to detain lunatic in asylum . . . . . „ s.13.
Payment of expenses of military lunatic . . . . . Act11,1877,s.8.
Order for payment of lunatic's expenses in asylum . . . Act36,1858,ss.7,8(*4*).
Payment of expenses by Government . . . . . „ s.14.
Recovery of expenses from relative, etc. . . . . „ s.15.
Discharge from . . . . . „ ss.9,10. Act3,1900,s.30(*2*). Act11,1877,s.7. (am.Act5,1909,s.2,Sch.)
Power of Governor General in Council—
to appoint asylum in any part of British India for reception of lunatics from any other part . . . . . Act36,1858,s.17A.
to authorise sending of lunatics to certain asylums . . „ s.17B.
Act 36, 1858, s. 17B, to be read in Bengal as referring to any part of Bengal outside Calcutta . . . . . Ben.Act1,1909.
Removals of lunatic from one asylum to another . . . Act36,1858,s.17C.
„ of prisoner from jail to asylum. *See* PRISONER (INDIAN LAW), **2** (5).
Liability to maintain lunatic not affected by Act . . . „ s.16.
Act not to affect powers of Chartered High Courts under Act 34, 1858 . . . . . „ s.17.

5. Miscellaneous.

Power of Magistrate or Commissioner of Police—
to make over charge of lunatic to relative, etc. . . . „ ss.4,6.
to order relative, etc., to maintain lunatic . . . . „ ss.5,6.
to prevent cruelty to lunatic . . . . . „ ss.5,6.

LUNATIC—*contd.*

5. Miscellaneous—*contd.*

Detention of lunatic under observation . . . . . Act36,1858,s.6A.

Removal of criminal and other lunatics from India to United Kingdom . . . . . 14-5V.c.81,ss.1to5,7. 47-8V.c.64,s.10(*4*).

Transcript of proceedings in lunacy in High Courts to be sent to and recorded in Courts in United Kingdom . . . . . 14-5V.c.81,ss.6,7.

Powers of High Court for disposal of stock, etc., held by lunatic executor or administrator. *See* ADMINISTRATION (INDIAN LAW), **6** (*d*).

Orders by High Court for disposal of property held by lunatic mortgagee. *See* MORTGAGE, **2**.

Valuation of payment, etc., under power-of-attorney without notice of lunacy of donor . . . . . Act7,1882,s.3.

Procedure in suit by or against lunatic. *See* CIVIL PROCEDURE, **4**.

Who to sue for lunatic in matrimonial cause . . . . . Act4,1869,s.48.

For purposes of limitation, time does not run during insanity . Act9,1908,ss.6,7.

Lunatic not liable for criminal offence . . . . . Act45,1860,s.84.

Procedure on trial of lunatic. *See* CRIMINAL PROCEDURE (INDIAN), **11** (2).

Liability for necessaries supplied to lunatic . . . . . Act9,1872,s.68.

Municipal Funds applicable to payment of expenses of pauper lunatics :

See under MUNICIPALITY *sub-heading*, **6**, MISCELLANEOUS.

Payment of deposits in Government Savings Bank belonging to lunatic . . . . . Act5,1873,s.12.

See also ARMY, **3**, (*d*) (4), **6** (*e*), **2** ; INDIAN MILITARY AND NAVAL FORCES, III, 4.

LUSHAI HILLS. *See* FRONTIER, A, 1.

MADRAS ABKARI ACT, 1886 [*See* CRIMINAL PROCEDURE (IND.) ; CUSTOMS (INLAND) ; EXCISE ; MERCHANDISE MARKS] . . Mad.Act1,1886.

MADRAS ABKARI (AMENDMENT) ACT, 1905 . . . Mad.Act1,1905.

MADRAS ADMINISTRATION OF ESTATES REGULATION, 1802 [*See* ADMINISTRATION OF ESTATES (IND. LAW); UNCLAIMED PROPERTY] . . . . . Mad.Reg.3,1802.

MADRAS AND BOMBAY ARMIES ACT, 1893 (*See* INDIAN MILITARY AND NAVAL FORCES, I) . . . . . 56-7V.c.62.

MADRAS BOARD OF REVENUE ACT, 1894 (*See* LAND-REVENUE, XIII) . . . . . Mad.Act1,1894.

MADRAS BOARD OF REVENUE REGULATION, 1803 (*See* LAND-REVENUE, XIII ; LOAN, B) . . . . . Mad.Reg.1,1803.

MADRAS CANALS AND PUBLIC FERRIES (AMENDMENT) ACT, 1895 . . . . . Mad.Act2,1895.

MADRAS CATTLE DISEASE ACT, 1866 (*See* ANIMAL) . . Mad.Act2,1866.

„ „ „ (AMENDMENT) ACT, 1879 . Mad.Act1,1879.

MADRAS CITY CIVIL COURTS ACT, 1892 (*See* CIVIL COURTS, XII ; PROCESS-FEES ; SEAL ; VALUATION OF SUITS) . . . Act7,1892.

MADRAS CITY LAND-REVENUE ACT, 1851 (*See* CONTEMPT ; LAND-REVENUE, XIV) . . . . . Act12,1851.